



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MAY 27, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:26 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS BYRON GOYNES (Arrived at 5:41 p.m.), STEVEN EVANS (Arrived at 6:26 p.m.), LEO DAVENPORT, DAVID STEINMAN and LAURA McSWAIN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development, discussed issues regarding small lot ordinances. In addition, FLYNN FAGG, Planning and Development Department, submitted a Powerpoint presentation, entitled Revised Residential Planned Development Standards, which dealt with concerns within existing R-PD ordinance and retaining flexibility of residential product.

MR. CLAPSADDLE, Planning and Development Department, referenced the following items to be tabled or held in abeyance:

Item 17 [GPA-3833]	Request to Table
Item 18 [GPA-3933]	Request to Table
Item 19 [GPA-3670]	Abeyance to 06-24-04 Planning Commission meeting
Item 20 [ZON-3672]	Abeyance to 06-24-04 Planning Commission meeting
Item 21 [SDR-3958]	Abeyance to 06-24-04 Planning Commission meeting
Item 22 [GPA-4091]	Abeyance to 06-10-04 Planning Commission meeting
Item 23 [ZON-4093]	Abeyance to 06-10-04 Planning Commission meeting
Item 24 [VAR-4094]	Abeyance to 06-10-04 Planning Commission meeting
Item 25 [SDR-4095]	Abeyance to 06-10-04 Planning Commission meeting
Item 31 [SDR-3938]	Abeyance to 07-22-04 Planning Commission meeting
Item 34 [VAC-4071]	Abeyance to 06-10-04 Planning Commission meeting
Item 43 [ZON-4288]	Abeyance to 06-24-04 Planning Commission meeting
Item 44 [SUP-4289]	Abeyance to 06-24-04 Planning Commission meeting
Item 45 [SDR-4291]	Abeyance to 06-24-04 Planning Commission meeting
Item 51 [RQR-4264]	Abeyance to 06-10-04 Planning Commission meeting
Item 52 [SUP-4247]	Abeyance to 06-10-04 Planning Commission meeting
Item 60 [TXT-4429]	Abeyance to 06-10-04 Planning Commission meeting

City of Las Vegas

PLANNING COMMISSION MEETING OF MAY 27, 2004 Planning and Development Department Briefing

MR. CLAPSADDLE stated that letters with signatures accepting all conditions were received for all of the tabled and abeyance items.

ELENA ARELLANO, 1555 S. Rainbow, stated that a letter of request was submitted prior to the meeting today requesting to abey Items 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291] until the June 24, 2004 Planning Meeting. MR. CLAPSADDLE replied that if the applicant would like to hold these items, they do not object to it.

COMMISSIONER DAVENPORT inquired about Item 51 [RQR-4264] and the reason for the abeyance. He recalled at a prior meeting, the Commission was very reluctant in giving an extension for six months because the applicant had not done anything to improve the lot. In his opinion, to date, the applicant still has not done anything; yet, an extension is recommended for another 30 days, which is too long. In addition, no one was present to speak on this item. COMMISSIONER DAVENPORT then stated that if the applicant does not care enough to improve the property nor attend the meeting, then the item should be denied. MR. CLAPSADDLE replied that the reason for the extension is due to the representative being out of town and unable to attend this meeting so the item cannot be discussed. CHAIRMAN TRUESDELL stated that he does not disagree with COMMISSIONER DAVENPORT'S comments. DEPUTY CITY ATTORNEY BRYAN SCOTT reiterated that the Code does allow holding the item in abeyance once it has been noticed if CHAIRMAN TRUESDELL deemed it appropriate due to the applicant being out of town. CHAIRMAN TRUESDELL replied that he is committed to having items heard and not take extended delays; however, in this case, a two-week abeyance is sufficient. In addition, Staff needs to inform the applicant that if they do not appear at that time, the Commission will decide on this item for the applicant. Staff concurred.

On the Consent items, COMMISSIONER McSWAIN abstained on Item 3 [ANX-4245], as her company is working on a project that benefits Focus, who is involved with this item.

DAVID GUERRA, Public Works, stated that on Item 1 [TMP-4277] Condition 6 should read as follows: "Dedicate 44 feet of right-of-way for Carriage Hill Drive. Additional rights-of-way may be required or allowed as determined by Public Works upon development of this site." Condition 8 should read as follows: "The Final Map for this site shall annotate that Common Lots A & B are to be privately maintained by a Summerlin maintenance organization." MR. CLAPSADDLE confirmed that the applicant is aware of these conditions. BURT HUGHES, G.C. Wallace, appeared on behalf of the Howard Hughes Corporation, stated that they agree with the conditions.

Regarding the One Motion/One Vote items, the following changes were requested:

City of Las Vegas

PLANNING COMMISSION MEETING OF MAY 27, 2004 Planning and Development Department Briefing

On Item 5 [RQR-4118], the applicant has requested that the item be removed to discuss a condition. On Item 11 [RQR-4243], Staff is recommending that the item be discussed. Item 16 [RQR-4282], the applicant has requested that the item be removed to discuss a condition.

COMMISSIONER McSWAIN requested that Items 4, 7, 9, 13, and 15 be pulled from the One Motion/One Vote.

The remaining One Motion/One Vote items noted below were motioned for approval by VICE CHAIRMAN NIGRO, approved unanimously, and will go to the City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

MR. CLAPSADDLE stated that staff has received signed letters from these applicants agreeing to the conditions.

COMMISSIONER DAVENPORT stated that he will be voting on Item 4 [RQR-3686], Item 7 [RQR-4238], Item 8 [RQR-4239], Item 9 [RQR-4240], Item 10 [RQR-4242], Item 11 [RQR-4243], Item 12 [RQR-4244] and Item 13 [RQR-4268]. He has had an advertising contract with Lamar Outdoor Advertising in the past. Although the signs are still up, the contract has expired.

(5:26 – 5:55)

1-1

MEETING ADJOURNED AT 5:55 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MAY 27, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS BYRON GOYNES, STEVEN EVANS (Arriving at 6:26 p.m.), LEO DAVENPORT DAVID STEINMAN AND LAURA McSWAIN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

(6:00)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

SUBJECT:

Approval of the minutes of the April 22, 2004, Planning Commission Meeting

MOTION:

NIGRO – APPROVED – UNANIMOUS

MINUTES:

There was no discussion.

(6:01)

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

CONSENT - TMP-4277 - SUMMERLIN VILLAGE 21 FIRE STATION 47 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION - Request for a Tentative Map FOR A 1 LOT SUBDIVISION on 1.67 acres adjacent to the north side of Far Hills Avenue, east and west of Carriage Hill Drive (a portion of APN: 137-22-000-010), P-C (Planned Community) Zone, Ward 2.

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED – Consent Item 1 [TMP-4277], Item 2 [TMP-4296], Item 3 [ANX-4245] – UNANIMOUS with McSWAIN abstaining on Item 3 [ANX-4245] as her company is doing work that benefits Focus

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:15 – 6:18)

1-341

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 1 – TMP-4277

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Rezoning Z-0119-96 and to the Summerlin Development and Improvement Standards.
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting all required setbacks shall be approved by the Planning and Development Department and Public Works Department staff.
4. All perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height, measured from the base of the retaining wall, without appropriate setbacks.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Dedicate appropriate right-of-way for Carriage Hill Drive. Coordinate with the Department of Public Works to determine the final right-of-way width prior to submittal of a Final Map for this site.
7. Construct half-street improvements including appropriate overpaving concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
8. The Final Map for this site shall not include Common Lots A & B.
9. If not already constructed by the Master Developer construct two lanes of access paving to this site prior to occupancy of this site.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 1 – TMP-4277

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

CONSENT - TMP-4296 - CROARO SELF-STORAGE (A COMMERCIAL SUBDIVISION) - APPLICANT: KJE CONSULTING ENGINEERS - OWNER: RANCHO LONE MOUNTAIN MINI-STORAGE, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 1 LOT COMMERCIAL SUBDIVISION on 6.04 acres adjacent to the southeast corner of Rancho Drive and Lone Mountain Road (APN: 138-02-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED – Consent Item 1 [TMP-4277], Item 2 [TMP-4296], Item 3 [ANX-4245] – UNANIMOUS with McSWAIN abstaining on Item 3 [ANX-4245] as her company is doing work that benefits Focus

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:15 – 6:18)

1-341

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 2 – TMP-4296

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-2402).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern boundary of this site prior to construction of hard surfacing (asphalt or concrete).
6. Unless incompatible uses can be demonstrated to the satisfaction of the City Engineer, in accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site as required by the Department of Public Works. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site, which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
7. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-2402 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

CONSENT - ANX-4245 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY - Petition to Annex property located on the south side of Grand Teton Drive, 660 feet east of Puli Drive, containing approximately 5.0 acres (APN: 126-13-101-003), Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED – Consent Item 1 [TMP-4277], Item 2 [TMP-4296], Item 3 [ANX-4245] – UNANIMOUS with McSWAIN abstaining on Item 3 [ANX-4245] as her company is doing work that benefits Focus

This item will be forwarded to City Council in Ordinance Form

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:15 – 6:18)

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION - Required Two Year Review of an approved Special Use Permit (U-0107-96) WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 2.

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he is involved with Nevada Department of Transportation on an adjacent parcel.

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the project is located at the northeast corner of Jones and 95 freeway. Staff has reviewed and believes that all of the Standards of the Code have been met. The area has not substantially changes since the last review. Staff has consistently recommended approval of this particular billboard and recommends approval on this application.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 4 – RQR-3686

MINUTES – Continued:

SCOTT NASKER, Lamar Outdoor Advertising, 1863 Helm Drive, stated that they agree to staff's conditions.

COMMISSIONER McSWAIN commented that she believed this item was presented to the Commission before, and the item was held. MR. NASKER replied that the sign will move back 70 feet from where it is currently and will not be moved to another site. By law, the sign cannot be moved either way laterally; it can only be moved in a straight direction going north. NDOT will be utilizing 75% of this property to widen the freeway. MR. CLAPSADDLE verified that the Use permits only go with this particular piece of property. MARGO WHEELER, Planning and Development, clarified for COMMISSIONER McSWAIN that in cases where the property is taken by another agency, such as NDOT, the applicants are allowed to move the sign, as long as it is on the same property and as close to its original location upon taking the property. MR. CLAPSADDLE mentioned that this item does have a two-year review so staff can follow up to see how the sign is doing in its new location.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:23 – 6:26)

1-601

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. Only one advertising sign is permitted per sign face.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 4 – RQR-3686

CONDITIONS – Continued:

- requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

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PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-4118 - APPLICANT/OWNER: RAMON PARDO - Required Six Month Review for an approved Variance (V-0044-02) WHICH ALLOWED 9 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A 3,880 SQUARE FOOT RETAIL BUILDING at 1650 East Sahara Avenue (APN: 162-02-411-032), R-2 (Medium Low Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated staff is recommending a six-month review from the time a Certificate of Occupancy is issued for a Retail Use. Retail Uses have more intense traffic and parking, so staff would like the opportunity to review this application once there is retail use on the property. Staff has issued Non-Work Certificates of Occupancy for Office Use in the past, and there are times when reviews have been required after six months, a year, or even two years from the date of approval. However, sometimes things do not happen for a year. As a result, staff has started to orient these reviews when the certificates are issued and not when the approval is done. The intent is not to delay the applicant but to allow staff the opportunity to review once retail use is on the property.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 5 – RQR-4118

MINUTES – Continued:

RAMON PARDO, 4426 Island Court, stated regardless if the zoning was Commercial or Retail, the applicant would still need the Variance for the 23 parking spaces. COMMISSIONER TRUESDELL responded that the concern here is that the Variance was based upon an Office Use. MR. PARDO replied that the application was for Office Use and then was changed to C-1. MR. CLAPSADDLE stated that the zoning allows for Commercial, but there has not been Retail Use on this property. So, the applicant is allowed to have retail on this property. In addition, with this Variance, it would change the parking spaces to 9 where 23 are required, staff would prefer to be able to review once a retail use is on the property. MR. PARDO stated that there would not be anyone there now even if the zoning were Office Use.

COMMISSIONER McSWAIN verified with MR. PARDO that this application is on the same building, where a parking Variance was approved six months ago, with a six-month review.

COMMISSIONER DAVENPORT stated that this property has not been occupied by retail, so it is not known what the parking will be. MR. CLAPSADDLE replied that the Variance has been approved, so the applicant has to provide nine parking spaces for Commercial Use.

DEPUTY CITY ATTORNEY BRIAN SCOTT inquired on the purpose of the Variance. For example, upon review, if the applicant is over parked, what would take place. CHAIRMAN TRUESDELL also stated that there were questions as to if the Variance would inundate street parking yet the immediate solution is not known at this time. MR. SCOTT asked about the possibility of an adjacent parcel for shared parking. MR. CLAPSADDLE replied that a joint parking agreement or an appropriate rezoning that precludes Retail uses could be options for the applicant. COMMISSIONER McSWAIN asked if the lease would be at least three years and how does one reconcile the problem with parking. CHAIRMAN TRUESDELL responded that this would be disclosed in the lease. DEPUTY ATTORNEY SCOTT also stated that this would be a private discussion between the developer and the lessee. VICE CHAIRMAN NIGRO then stated it would impact the next individual with a business license if the tenant left after a three-year lease and there were some restrictions put on the retail use. MR. PARDO commented that the building has been fully occupied with Office use since last July and has not had any problems with the tenants, which include an accountant and an attorney. MR. CLAPSADDLE noted that should one of these business should convert from an office to a shoe store, this would be retail and staff would bring it to the Commission for review. COMMISSIONER McSWAIN confirmed with MR. CLAPSADDLE that the application would be up for review only if the applicant had Retail use within the three years. CHAIRMAN TRUESDELL assured the applicant that the intent is not to delay or limit marketing, but should the use change, the Commission would like to review and see if any problems were created.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 5 – RQR-4118

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:26 – 6:35)

1-713

CONDITIONS:

Planning and Development

1. This Variance shall be reviewed six months from the date a Certificate of Occupancy is granted for a retail use.
2. Conformance to the Conditions of Approval for Variance (V-0044-02).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - RQR-4187 - APPLICANT/OWNER: BARRICK-BREO II, LIMITED LIABILITY COMPANY - Required Two Year Review on an approved Special Use Permit (U-0106-95), WHICH ALLOWED A 440 SQUARE FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 310 South Main Street (APN: 139-34-201-003), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], Item 14 [RQR-4270].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 6 – RQR-4187

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], and Item 14 [RQR-4270].

(6:18 – 6:23)

1-430

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 6 – RQR-4187

CONDITIONS – Continued:

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4238 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: 7-ELEVEN, INC. - Required Two Year Review of an approved Special Use Permit (U-0315-94), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6070 West Sahara Avenue (APN: 163-01-401-010), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with McSWAIN, TRUEDELL and NIGRO voting NO

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUEDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this item was originally approved in 1995, with a five-year review in 2000 and a three-year review in 2002. During both reviews, staff has approved the application. The area has not substantially changed and staff recommends approval again.

SCOTT NASQER, Lamar Outdoor Advertising, 1863 Helm Drive, agreed to staff's conditions.

COMMISSIONER DAVENPORT stated, for the record, he has had a previous contract with Lamar Outdoor Advertising and the contract has been fulfilled.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 7 – RQR-4238

MINUTES – Continued:

COMMISSIONER McSWAIN stated that she has not supported this application before and will not support it at this time.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:35 – 6:38)
1-997

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4239 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: RANCHO AIR CENTER, INC. -
Required Two Year Review of an approved Special Use Permit (U-0059-01) FOR FIVE (5) 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard (APN: 139-18-410-003), C-M (Commercial/ Industrial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 8 – RQR-4239

MINUTES – Continued:

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], and Item 14 [RQR-4270].

(6:18 – 6:23)
1-430

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. Prior to the submittal of a building permit, the applicant shall submit to the Planning and Development Department a site plan that depicts the location of all existing off-premise advertising (billboard) signs with an overlay of the developments approved as part of SDR-1404. The Planning and Development Department will review the site plan to ensure compatibility. If conflicts exist, the Planning and Development Department may impose adequate measures to ensure the billboards do not compromise public health, safety, and welfare.
3. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed as part of the site development plan review for compatibility with the proposed development. Conditions of approval may be imposed that require the removal of some or all of the off-premise advertising (billboard) signs.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 8 – RQR-4239

CONDITIONS – Continued:

4. If a existing off-premise advertising sign structure is removed, this Special Use Permit will not pertain to the removed sign, a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
7. Only one advertising sign is permitted per sign face.
8. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4240 - APPLICANT: LAMAR ADVERTISING - OWNER: CHARWEST, INC. - Required Two Year Review of an approved Special Use Permit (U-0262-94), WHICH ALLOWED A 14 FOOT x 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4820 West Charleston Boulevard (APN: 138-36-804-008), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Initial motion for DENIAL failed – Subsequent motion by GOYNES – APPROVED subject to conditions– Motion carried with McSWAIN, TRUESDELL AND NIGRO voting NO

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff recommends approval.

COMMISSIONER McSWAIN stated that she would not support this application because of its relationship to Decatur and Charleston and the retail corridor.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 9 – RQR-4240

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:38 – 6:40)

1-1102

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4242 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: HEIDNER PROPERTIES, INC., ET AL - Required Two Year Review of an approved Special Use Permit (U-0314-94), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1600 North Rancho Drive (APN: 139-20-411-005), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 10 – RQR-4242

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

(6:18 – 6:23)

1-430

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. Only one advertising sign is permitted per sign face.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 10 – RQR-4242

CONDITIONS – Continued:

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4243 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: URBAN LAND NEVADA - Required Two Year Review of an approved Special Use Permit (U-0265-94) WHICH ALLOWED A 55 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2550 Highland Drive (APN: 162-09-110-019), M (Industrial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and adding the following condition:

- The applicant shall remove the advertising panel attached to the top of the sign that shows a directional arrow.”
- UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff would like to discuss with the applicant the oversized billboard.

SCOTT NAPSKER, Lamar Outdoor Advertising, 1863 Helm Drive, stated although the billboard is oversized, it is allowed by the Code. Using the overhead, he described the billboard, which is 2.65’ x 48’, and depicts a female lying sideways. CHAIRMAN TRUESDELL asked if the embellishment would be more if there were a design character to it rather than making the face

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 11 – RQR-4243

MINUTES – Continued:

greater. KYLE WALTON, Planning and Development, commented on one of MR. NAPSKER'S presentation slides that shows a hand with a fistful of bills, and the bills were over the top of the sign face. This would be the typical kind of embellishment, which is more of an appendage to the overall sign and not actual advertising space.

COMMISSIONER STEINMAN stated that the sign appears just to be bigger and not embellished. MR. WALTON commented that sign companies tend to add more sign face to what is allowed. When staff takes photographs of these signs, they confirm with the applicants how big these signs really are to ensure they do not exceed the embellishment standard of 128 square feet. COMMISSIONER DAVENPORT asked if there was a lack of definition within the Code regarding embellishment. COMMISSIONER NIGRO replied that it would be based upon one's own opinion. COMMISSIONER DAVENPORT reiterated that the sign is just bigger and not embellished. CITY ATTORNEY BRYAN SCOTT stated that embellishment is defined in the Code as a frame or bracket around the outside of a sign that is used to define the boundaries of decorate and/or hold the sign, not including logos or words. CHAIRMAN TRUESDELL stated that because of the wording "Lamar" at the bottom of the sign, it sends a context to the sign rather than the message that is within the area of the sign. MR. NAPSKER replied that the embellishment is just directional, so it may not make a difference if the wording was deleted. COMMISSIONER STEINMAN stated the wording should be deleted, as there is a reason for the Code and ensuring it is followed accordingly. CITY ATTORNEY BRYAN SCOTT stated, for the record, that the Commission is not discussing the content of the sign but the actual style or design of the sign. CHAIRMAN TRUESDELL commented that he does not have a problem with the location of the sign but there is a concern when these signs are becoming larger and larger. MR. WALTON replied that staff will work with the applicant. VICE CHAIRMAN NIGRO commented that if changes arise within the Plan, staff will review and present it to City Council.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:40 – 6:48)

1-1185

CONDITIONS:

Planning and Development

1. The applicant shall remove the advertising panel attached to the top of the sign that shows a directional arrow.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 11 – RQR-4243

CONDITIONS – Continued:

2. Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - RQR-4244 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: SHAHRAM, INC. - Required Two Year Review for an approved Special Use Permit (U-0261-94) FOR A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4401 North Rancho Drive (APN: 138-02-602-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244], and Item 14 [RQR-4270].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 12 – RQR-4244

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that the following items will be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

(6:18 – 6:23)

1-430

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. Only one advertising sign is permitted per sign face.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 12 – RQR-4244

CONDITIONS – Continued:

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - RQR-4268 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: McELHOSE TRUST - Required Two Year Review of an approved Special Use Permit (U-0006-90) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1535 North Eastern Avenue (APN: 139-26-505-004), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS

This is Final Action unless appealed within 10 days

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the application meets the standards of the Code. Staff is recommending approval with additional conditions, which includes a two-year review, one advertising sign per face, and any advertising flyers attached to the base of the sign would need to be removed.

ROD CARTER, 2880 Mead Avenue, Clear Channel Outdoor, concurred with staff's conditions.

COMMISSIONER McSWAIN stated that this property is a cluttered nightmare. The property owner does not follow Code on their own signs, which need repairing. This area on Eastern Avenue needs a break and she opposes this application.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 13 – RQR-4268

MINUTES – Continued:

COMMISSIONER DAVENPORT clarified with staff the number of signs per face area. MR. CLAPSADDLE responded that it is one sign per face area, meaning if you are looking at one face, it cannot be split because it creates more than one message. Even though the Code does not state this condition, staff is working on making it a condition.

COMMISSIONER EVANS asked if the other signs in the area, such as West Star, are smaller and up to Code. MR. CLAPSADDLE replied that it is difficult to confirm based on the photo submitted but staff would look into and ensure that each wall signage conform to the Code.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:48 – 6:52)

1-1499

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
4. Only one advertising sign is permitted per sign face.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 13 – RQR-4268

CONDITIONS – Continued:

5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4270 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: POOLE SANFORD, LIMITED LIABILITY COMPANY - Required Two Year Review of an approved Special Use Permit (U-0010-97) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3901 North Rancho Drive (APN: 138-12-110-004), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED – Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 14 – RQR-4270

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated that the following items would be heard at City Council on July 7, 2004.

Item 6 [RQR-4187]	City Council 07-07-04
Item 8 [RQR-4239]	City Council 07-07-04
Item 10 [RQR-4242]	City Council 07-07-04
Item 12 [RQR-4244]	City Council 07-07-04
Item 14 [RQR-4270]	City Council 07-07-04

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-4187], Item 8 [RQR-4239], Item 10 [RQR-4242], Item 12 [RQR-4244] and Item 14 [RQR-4270].

(6:18 – 6:23)

1-430

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
4. Only one advertising sign is permitted per sign face.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 14 – RQR-4270

CONDITIONS – Continued:

5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4271 -
APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH SIMKINS -
Required Two Year Review of an approved Special Use Permit (U-0171-89) WHICH
ALLOWED A 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at
1323 South Main Street (APN: 162-03-110-088), C-M (Commercial/Industrial) Zone, Ward 1
(Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to amended conditions and amending the following condition:

1. The applicant shall redo the sign face within 60 days.
- UNANIMOUS

To be heard by the City Council on 07/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the recommendation is for approval subject to a two-year review and additional conditions.

ROD CARTER, Clear Channel Outdoor, 2880 Mead Avenue, concurred with staff's recommendations.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 15 – RQR-4271

MINUTES – Continued:

COMMISSIONER McSWAIN asked if it is allowable to have an off premise sign advertising on premise services. MR. CLAPSADDLE replied that there are no restrictions regarding this.

MARGO WHEELER, Planning and Development, gave an example if one had a billboard for Budweiser and sold Budweiser on site, the billboard is still for additional off premise facilities elsewhere. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that there is a prohibition in the Code for advertising items that are currently sold on the parcel even though it is an off premise site. COMMISSIONER McSWAIN commented that the sign appears to be eroded. MR. CLAPSADDLE stated that a site inspection was done on May 5th and determined that the sign had been cleared of graffiti. COMMISSIONER McSWAIN then stated that the actual image is worn and not something that should be up. She also suggested adding a condition requiring the applicant to redo the face of the sign. MR. CLAPSADDLE replied that a condition could be added that the sign has to be maintained. MR. SCOTT commented that maintenance is a normal condition but a condition can be added requiring the applicant to redo the sign. COMMISSIONER McSWAIN concurred and also confirmed with MR. CLAPSADDLE that the applicant has 30 days to redo the sign. MR. CARTER concurred on the condition but stated that 30 days may not be sufficient in getting production in for the landowner. MR. CLAPSADDLE then confirmed with the Commission that the applicant can advise staff as to when they would like to redo the sign, then advise staff when it is completed, and staff will go out and take a look at it. If the sign is not improved, staff will bring back to the Commission for their review.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:52 – 6:58)

1-1653

CONDITIONS:

Planning and Development

1. The applicant shall repair the sign face within the next sixty (60) days.
2. Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 15 – RQR-4271

CONDITIONS – Continued:

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-4282 -
APPLICANT: LAMAR ADVERTISING - OWNER: GENERAL MILLS
RESTAURANTS, INC. - Required Two Year Review of an approved Special Use Permit
(U-185-89) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING
(BILLBOARD) SIGN at 1361 South Decatur Boulevard (APN: 162-06-211-001), C-1 (Limited
Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions, deleting Condition 4 and amending the following condition:

1. The Special Use Permit shall be reviewed in one year.
– Motion carried with McSWAIN voting NO

To be heard by the City Council on 07/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the applicant would like to discuss Condition 4.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 16 – RQR-4282

MINUTES – Continued:

SCOTT NAPSKER, Lamar Outdoor Advertising, 1863 Helm Drive, stated that their only concern is with Condition no. 4. The sign has had its design for the past 10 years. Currently, there are long-term contracts and nothing in the Code prohibits the sign. So, MR. NAPSKER requested deletion of Condition no. 4.

CHAIRMAN TRUESDELL inquired about the elevation of the sign. He then asked MR. NAPSKER if his existing contracts would allow for an extension beyond this two-year extension. MR. NAPSKER replied that he is aware that the contracts are for 12 months. CHAIRMAN TRUESDELL commented that the main objective is to ensure that there is only one billboard per sign face on each side. If this condition is achieved within the two-year extension, then he can support this application. MR. NAPSKER replied that he does not have the authority to agree to this condition. DEPUTY CITY ATTORNEY BRYAN SCOTT stated, for the record, that even though the applicant has private contracts for the facing of these signs, it does not have to be the determining factor in the Commission's vote and the Commission is not held by the applicant's existing contracts. CHAIRMAN TRUESDELL understood and reiterated the main objective of ensuring one billboard per sign face on each side. COMMISSIONER DAVENPORT reiterated the fact that he previously had contracts with Lamar Outdoor Advertising, and these contracts have been fulfilled. He also suggested the possibility of approving a 12-month contract; once the contract expires, then the sign can be made one face. MR. CLAPSADDLE concurred with that option. CHAIRMAN TRUESDELL commented that he would support this option, and it would give the applicant time to understand and meet the goal of one sign face per side. COMMISSIONER EVANS asked if it would be prudent for the applicant not to sign long-term contracts when there are reviews shorter than the contract timeframe. CHAIRMAN TRUESDELL reiterated that the Commission is not held by the applicant's existing contracts. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed with the Commission that they are giving the applicant 12 months to make the sign a one-sign face. MARGO WHEELER, Planning and Development, stated, for the record, that Condition no. 1 will change to a one-year review and Condition 4 will be deleted, which would allow the applicant to have two-sign faces for the year.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:58 – 7:04)

1-1868

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 16 – RQR-4282

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
4. The applicant shall change the side of the sign with two advertising panels to a single sign face within the next 12 months.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3833 - CITY OF LAS VEGAS - Request to amend the Master Plan Recreation Trails Element of the General Plan to revise the design standards for equestrian and multi-use equestrian trails, Ward 4 (Brown) and Ward 6 (Mack).

TABLED

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

NIGRO – Tabled – UNANIMOUS with EVANS excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3933 - CITY OF LAS VEGAS - Request to amend the Master Plan Transportation Trails Element of the General Plan to add provisions for "connector trails" and to revise trail alignments to be consistent with the Regional Transportation Commission's "Non-Motorized Alternative Transportation Mode Master Plan." Wards: All.

TABLED

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

NIGRO – Tabled – UNANIMOUS with EVANS excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

ABEY: 06/24/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: **ROBERT S. GENZER** ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - REZONING RELATED TO GPA-3670 - PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

ABEY: 06/24/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 50-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 3 (Reese).

ABEY: 06/24/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING RELATED TO GPA-4091 - PUBLIC HEARING - ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING - VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Variance TO ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS REQUIRED FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre], Ward 6 (Mack).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093, AND VAR-4094 - SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

78

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

GOYNES – Motion for DENIAL – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

KYLE WALTON, Planning and Development, stated that changing the land use on this corner parcel to a Commercial Use would put it in conflict with the very low Residential Uses around the site. The layout of the site is inconsistent with City standards, and staff recommends denial. Ninety-eight notices were mailed with no approvals or protests.

JOSEPH BAFANO, Lobbyist, appeared on behalf of PD Landscaping. MR. BAFANO stated that MR. CASTELLANO obtained the property through his former partner and the court system. At that time, MR. CASTELLANO believed that a low maintenance landscaping business in a

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 26 – GPA-4100

MINUTES – Continued:

central location would best fit his needs. MR. CASTELLANO'S business, PD Landscaping, is not an industrial or commercial type landscaping. It is a neighborhood type, where someone would clean your lawn, trim your hedges or bushes. MR. CASTELLANO'S request is that he is allowed to park four pick-up trucks, with trailers that carry supplies, in the yard. Utilizing the overhead, MR. BAFANO presented the property, which is a historical home built in 1945. He continued by stating MR. CASTELLANO would like to preserve the home; however, he would like to convert the inside of his home to accommodate a space where he and his designer can complete drawings for potential customers. At this time, if a client contacts PD Landscaping, MR. CASTELLANO would have to go the client's home to see what is being requested. Thereafter, they design the client's request, which requires a location to design such as an office. To the north of this property, there is an eight-foot fence dividing the patio to the empty backyard. MR. BAFANO continued using the overhead to explain what portion would be asphalt and the parking area. In addition, the applicant is willing to install an eight-foot brick wall where the property line is divided and an additional eight-foot wall to the west of the property.

MR. BAFANO stated that a community meeting was held and seven individuals were in attendance. COUNCILMAN WEEKLY has been kept abreast on what has been happening during this process. MR. BAFANO pointed out that ninety-eight notices were mailed and ninety-eight complaints were received; however, the applicant does not know what these complaints entail. MR. CASTELLANO is not trying to create an industrial area; the desire is to have a central parking area in the back of the property to accommodate these trucks. The trucks would leave by 8 a.m. and return at 3 p.m. The supplies are ordered from the nursery and they deliver to the job site, not at the home. Dumping does not take place at the property. After MR. CASTELLANO took ownership of the property, Public Disposal was hired to clean up the garbage and debris from the previous owner. The neighbors to the north of this property were disgruntled with the previous owner. MR. BAFANO has spoken personally with one neighbor and advised her that the applicant is willing to put the wall in. Some minor landscaping has been done on Mountain Trail. In order for additional landscaping to be done, there are procedures that the City mandates, which MR. CASTELLANO has to and is following.

LINDA WASKOM, 4147 Pleasant Road, thanked the Commission for allowing the residents to express their objections. She stated that the residents were told that the historic home was being torn down. In addition, in her opinion, heavy noise and equipment is in fact what MR. CASTELLANO is bringing into the neighborhood. This neighborhood is not in decline. There has been ten years of restoration. There is one rental property in the neighborhood. There are no meth labs. The last sale, according to the Market of Real Estate, was \$489,000. The residents are professionals, such as doctors, lawyers, magicians, lion tamers and scientists. Placing

commercial properties in front of this subdivision would devalue the homes. Using the overhead,

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 26 – GPA-4100

MINUTES – Continued:

MS. WASKOM showed various homes within the neighborhood and what PD Landscaping looks like within that neighborhood. There is no commercial home on Vegas Drive frontage of Eastland Heights. Recent denials have occurred for a half way house and the Church of Scientology because they were not appropriate. There is an accounting office and a storage facility across the street from the development. The residents focus their attention on keeping their neighborhood clean. There are old and historical homes, such as the Seigfried and Roy home, that they desire to preserve. MS. WASKOM also stated that the applicant cannot use the front of Vegas Drive as the access because it is too much traffic. So, they are using Mountain Trail, which is within the neighborhood interior. The residents object to tearing down the home, cutting the trees, any curbs, sidewalks, street lights, concrete parking lot, the excessive traffic and noise, and any rezoning on what is a historic neighborhood.

JAN FELLHAUER, 4056 Melody Lane, stated she has lived in the neighborhood for 14 years. She believes that MR. CASTELLANO is making the improvements without discussing it with most of the neighbors. The problem is that the notices have to be sent to approximately ten residents because the majority of residents live on ½ acre. As a result, seven of the ten residents attended the meeting. The applicant did not take into consideration these elderly residents because the meeting was held in North Las Vegas at a library in the evening. Most of the residents are elderly; they do not go out in the evening and are not very mobile. As a result, other residents attended this meeting. MS. FELLHAUER stated that she and a few other residents were able to accomplish in three days speaking to 68 residents and obtaining a signed petition. There are approximately 200 residents in the neighborhood, and they are outraged about the events taking place in the neighborhood. She pointed out that she obtained copies of three permit requests regarding a fence, storage shed and a block wall that were never inspected.

MR. BAFANO replied that the wooden fence and the wall was not put up within the last six months. What the previous owner did was not the responsibility of MR. CASTELLANO. The residents may not be happy with what has been done since, but he believes MR. CASTELLANO has good intentions. MR. BAFANO stated that the applicant obtained a license to do business so he could initially clean the property up. He reiterated that the applicant does not intend to tear down the home; he would like to convert the interior to an office type set up. MR. BAFANO pointed out other properties that have a business within their homes that have clients coming to the properties conducting business.

COMMISSIONER GOYNES stated that MR. CASTELLANO'S first mistake was trying to place a business in a residential neighborhood. Just because businesses have to progress does not mean they have to come into people's neighborhoods. In addition, the applicant had a neighborhood meeting in North Las Vegas, but the property is located by Rancho and Vegas

Drive. If the applicant wants to be accommodative and have residents approve the project, then the applicant

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 26 – GPA-4100

MINUTES – Continued:

should attempt to come to the residents and not try to bully the residents. The Service Commercial runs up right abut this neighborhood, but that is the cut-off point. This neighborhood does not warrant any business because it is an old established neighborhood, which has set its precedents. He suggested that if the applicant wants to set up a business, he should go into a business area and not try to change the zoning. In addition, this could start to set a precedent up the street or could even become a deteriorating factor to this neighborhood. COMMISSIONER GOYNES stated that he would not like to see any change in this established neighborhood and will not support this application.

COMMISSIONER McSWAIN concurred with COMMISSIONER GOYNES. She also pointed out the character going east on Vegas Drive compared to the character going forward from that point and how one can see a deterioration of the area going west. She also thanked and complimented the residents who spoke on their presentation. They presented the facts, gave good information and were polite.

COMMISSIONER STEINMAN asked how the applicant could operate a business on a residential property before he is approved.

MR. BAFANO replied that he is a lobbyist and not a lawyer. When MR. CASTELLANO retained him, he inquired with the City and was advised by the City of Las Vegas-Business Licensing Department that a zoning change would be required. In November 2003, they obtained the proper documents for filing a request for a zone change from the Planning and Development department. In addition, a representative from the City of Las Vegas-Business Licensing Department and Code Enforcement stated that the applicant needed to obtain a license to do business within the City of Las Vegas and that was done. COMMISSIONER STEINMAN replied that one could operate a business on a property that is properly zoned for that kind of business and not a residential property. MR. BAFANO responded that the City knew that this was a business operating from the home. Once the Code Enforcement officer advised the applicant to stop parking the trucks at the home, he complied. There is a tenant that lives in the home, who is moving June 1st, who is an employee and he parks his vehicle at this location.

DEPUTY CITY ATTORNEY SCOTT stated that Licensing does not normally issue a license to a business that is improperly zoned. He believes the Licensing department checks with the Planning Department to ensure that the zoning is proper for the particular property. He continued to state that the applicant may have obtained a home occupation permit through Licensing, which is different than a general business license to operate his business. With a home occupation permit, the applicant can conduct business out of their home and is allowed to have one truck on the premise but cannot see clients at the home. The applicant may be violating some conditions with a home occupation permit. CHAIRMAN TRUESDELL stated

that even if there is a misunderstanding on the licensing, it does not give the applicant the right to violate the

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 26 – GPA-4100

MINUTES – Continued:

zoning Code. DEPUTY CITY ATTORNEY SCOTT concurred. MR. CLAPSADDLE added that staff does not look at a home occupation permit as a commercial business.

COMMISSIONER DAVENPORT questioned MR. BAFANO about his statement regarding the current business being in operation since November, yet the paperwork reflects February.

DAVID CLAPSADDLE, Planning and Development, stated that this is a Plan Amendment, a Rezoning and a Site Plan Review. The question is if this is an appropriate location for a commercial land use. COMMISSIONER EVANS stated that the burden is on the applicant to prove that the General Plan Amendment and the zone changes would not adversely affect the area, and this has not been achieved. In addition, NRS 278 still applies, which has certain provisions that this application does not meet. The Commission does not have the discretion to waive this. Even if the Commission had the inclination to approve the application, it would not be legal. COMMISSIONER EVANS concluded by saying that this is a neighborhood with a lot of character and the City needs to protect it. The General Plan Amendment and the zoning is inconsistent and does not meet any of the legal requirements, and he will not support it.

CHAIRMAN TRUESDELL questioned whether the applicant can conduct business out of the home without an approval. DEPUTY CITY ATTORNEY SCOTT replied that if the applicant has a home occupation permit, then they could do whatever is related to that particular home occupancy permit. The provisions are within Title 19, Section 19.18.110, which states what a home occupancy permit is and the operational standards, as DEPUTY CITY ATTORNEY SCOTT offered to submit a copy of this document to the applicant. Should the applicant not have this type of permit, then he cannot conduct business on the property while this application is pending. MR. BAFANO asked the Commission if the applicant is permitted to park his PD Landscaping truck on the property. CHAIRMAN TRUESDELL responded that the applicant can come and go from his own property but he cannot run a business from there without a license.

LINDA WASKOM, 4147 Pleasant Road, spoke on behalf of the residents and thanked the Commission for giving this application the serious attention it required and voting against it.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

(7:05 – 7:37)

1-2150

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING RELATED TO GPA-4100 - PUBLIC HEARING - ZON-4101 – APPLICANT/OWNER: PETER CASTELLANO - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

78

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion for DENIAL – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

Note: See Item 26 [GPA-4100] for all related discussion on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 27 – ZON-4101

MINUTES -- Continued

(7:05 – 7:37)
1-2150

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4100) to SC (Service Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-4102) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements on Vegas Drive and Mountain Trail adjacent to this site concurrent with development of this site. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4100 AND ZON-4101 - PUBLIC HEARING - SDR-4102 - APPLICANT/OWNER: PETER CASTELLANO - Request for a Site Development Plan Review FOR A CONVERSION OF AN EXISTING RESIDENCE TO A LANDSCAPING BUSINESS AND FOR A WAIVER THE LANDSCAPING REQUIREMENTS on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

78

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion for DENIAL – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 28 – SDR-4102

MINUTES -- Continued

Note: See Item 26 [GPA-4100] for all related discussion on Item 26 [GPA-4100], Item 27 [ZON-4101] and Item 28 [SDR-4102].

(7:05 – 7:37)

1-2150

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4077 - APPLICANT: ARG JONES I, LIMITED LIABILITY COMPANY - OWNER: CHARLES SAMMONS AND FRANCIS KELLER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.32 acres at 216 and 220 South Jones Boulevard (APN: 138-36-112-013 and 014), Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion for APPROVAL subject to the revised Site Plan placed on record at the meeting and Staff correcting misplaced conditions on Item 30 [SDR-4081]– UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 29 [ZON-4077] and Item 30 [SDR-4081].

DAVID CLAPSADDLE, Planning and Development, stated that the applicant has revised the Site Plan and staff believes the rezoning to P-R is appropriate. Staff is concerned that the Site Plan is somewhat overbuilt, although the architectural structure of the building is an improvement. The applicant is requesting a Waiver for the east side of the property where there is no landscaping. Staff recommends approval for the rezoning, and staff recommends denial on the Site Plan. There were no approvals or protests received.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 29 – ZON-4077

MINUTES – Continued:

CRAIG MOORE, 4427 Via Torino Street, appeared on behalf of the applicant, who was currently not in the country. He stated that there is some confusion or mix-up with this particular property and another property because the Site Development Plan is not accurate. Regarding Condition 6 of Item 30 [SDR-4081], the property is approximately five miles away from the street indicated, Lake Mead Boulevard. In addition, Condition no. 8 has nothing to do with this property. The Site Plan indicated that the applicant provided zero box trees, which is incorrect; the applicant provided nine box trees. It also indicated that the applicant provided two feet along the south property line, which is incorrect; the applicant provided eight feet. The applicant also provided the box trees on 20-foot centers. There are also planters on the south and east sides of the property. The Site Plan also indicates the applicant has 24 parking spaces; the applicant has 21 parking spaces. Staff had suggested that the applicant create a drive-through to the two properties south of this property, which the applicant owns, which would assist in the traffic flow.

CHAIRMAN TRUESDELL suggested holding the Site Plan until it is corrected. MR. CLAPSADDLE suggested referencing the date stamped Site Plan included in the back up, if the Commission is satisfied with what it reflects. In addition, a condition can be added relative to conformance with the Site Plan, including building elevations, presented at this meeting and staff can continue to work on it as it goes to Council. MR. CLAPSADDLE then apologized for the misprints on some of the conditions and assured the Commission that these conditions will be rectified. The Site Plan presented at this meeting is, in fact, a definite improvement regarding the appearance of the building, landscaping and site circulation.

MR. MOORE also expressed appreciation for staff suggesting the drive-through idea and have agreed to do it. MR. MOORE asked if the Commission would allow for the applicant to reduce the landscaping requirement to 18 feet, which would allow the applicant to have a bigger sidewalk.

MARY ANN GADDY, 208 S. Jones, appeared on behalf of the applicant, ARG Jones I. MS. GADDY stated that the applicant has been working on the Site Development Plan. Currently, the property is in escrow and would hope that the zoning will be approved, as it is one of the conditions for closing on the property. MR. MOORE stated that the Site Plan needs to be dealt with first. CHAIRMAN TRUESDELL confirmed with MR. CLAPSADDLE that, technically, the zoning should be dealt with first before the Site Plan. MR. CLAPSADDLE then stated that the zoning can be dealt with, and then the Commission can approve the current Site Plan with staff continuing to work with the applicant or the Commission can hold the item for two weeks. COMMISSIONER McSWAIN concurred with MR. CLAPSADDLE and reiterated that a few more improvements can be made but staff can work with the applicant.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 29 – ZON-4077

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 29 [ZON-4077] and Item 30 [SDR-4081].

(7:37 – 7:51)

1-3877

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4077 - PUBLIC HEARING - SDR-4081 - APPLICANT: ARG JONES I, LIMITED LIABILITY COMPANY - OWNER: CHARLES SAMMONS AND FRANCIS KELLER - Request for a Site Development Plan Review FOR AN OFFICE AND WAIVER OF LANDSCAPING REQUIREMENTS on 0.32 acres at 216 and 220 South Jones Boulevard (APN: 138-36-112-013 and 014), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion for APPROVAL subject to the revised Site Plan placed on record at the meeting and Staff correcting misplaced conditions on Item 30 [SDR-4081]– UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 29 [ZON-4077] and Item 30 [SDR-4081].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 29 [ZON-4077] and Item 30 [SDR-4081].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 30 – SDR-4081

MINUTES – Continued:

Note: See Item 29 [ZON-4077] for all related discussion on Item 29 [ZON-4077] and Item 30 [SDR-4081].

(7:37 – 7:51)

1-3877

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3938 - APPLICANT: NEWAY CHURCH OF GOD IN CHRIST - Request for a Site Development Plan Review, Waivers of the Commercial Development Standards TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, A REDUCTION IN THE AMOUNT OF REQUIRED FOUNDATION LANDSCAPING, AND WAIVERS OF THE PERIMETER AND PARKING LOT LANDSCAPING STANDARDS FOR A PROPOSED 4,594 SQUARE-FOOT CHURCH/ HOUSE OF WORSHIP on 0.48 acres adjacent to the northeast corner of "D" Street and Monroe Avenue (APN: 139-27-111-061 and 062), C-2 (General Commercial) Zone, Ward 5 (Weekly).

ABEY: 07/22/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until July 22, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff had just met with the applicant but are awaiting a revised Site Plan.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4219 -
APPLICANT/OWNER: HORIZON HOMES, INC. - Request for a Rezoning FROM:
U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2
(Residential Planned Development - 2 Units Per Acre) on 5.23 acres adjacent to the southeast
corner of Craig Road and Tioga Way (APN: 138-03-302-001), Ward 4 (Brown).

C.C.: 06/24/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 32 [ZON-4219] and Item 33 [SDR-4222].

DAVID CLAPSADDLE, Planning and Development, stated that this application was previously held in abeyance. It is a RPD-2 development for 13 lots. Staff has viewed other lots in the area, which range from 2,900 square feet up to 5,200 square feet and one acre. There is some R-1 to the north of the site and RPD-5 and RPD-8 to the east of the site. In addition, there are established single-family developments on larger lots. While the zoning is in conformance, staff believes the lot sizes are not compatible with the area and could have a long-term detrimental affect to the established rural neighborhood. Also, the applicant has not requested any Variances or Waivers. The Code states that any RPD development under 12 lots does not require open

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 32 – ZON-4219

MINUTES – Continued:

space. The applicant can either reduce the amount of lots or the Commission can require the applicant to do a Variance for open space if the applicant is not willing to meet the open space standard of the Code. Staff recommends denial on Item 32 [ZON-4219] and Item 33 [SDR-4222]. Staff received zero approvals and zero protests.

DAVE BROWN, 1050 E. Flamingo, appeared on behalf of the applicant. MR. BROWN stated that a letter was sent to Fred Solis, Planning Department, requesting the Variance for open space and thought an application was done. He apologized for the misunderstanding. CHAIRMAN TRUESDELL suggested the applicant follow-up with Mr. Solis and ensure that the application was done. MR. BROWN continued and stated that because the parcel is an odd shaped infill parcel, which made the Site Plan somewhat difficult than usual. With the various types of developments surrounding the neighborhood, the applicant feels this application is compatible and would be an improvement to the area.

Seven residents attended a public meeting, with one resident in favor of the project and the other six residents had questions regarding the Site Plan. The residents suggested the following: Make lots 4-9 and 13 single story homes; no street lights surrounding the subdivision with the exception of Craig Road; no street improvements on Tioga, Helena or Pioneer; prefer to leave the pavement as is or add curb and gutter; and landscape the frontage of the residents' lots.

The applicant is willing to make lot 3,4 or 9 and 13 as single story. Since the remaining are semi-custom homes, it would be at the discretion of the homeowners who purchase these lots. Using the overhead, MR. BROWN showed various elevations ranging from 2,800 square feet up to 4,000 square feet. The homes range in value from \$500,000 to \$800,000.

ANN CASEY, 7460 Helena, stated that her lot would be the one that has the most impact from this project. She pointed out that the one resident in favor of this project lives one mile away from the project and the other six residents live next to this site. In addition, there was only a one-day notice for the neighborhood meeting and two-days notice for this meeting. The residents prefer half acres. This is an old established neighborhood, and she has lived in the neighborhood for 23 years. Other residents have lived in this neighborhood ranging from 15 to 30 years. There are half-acre lots all along Buffalo. The residents can appreciate the value of these homes and what it can do for their neighborhood, as well as the infield and not having commercial on this project. She pointed out that the applicant made several misrepresentations regarding this development. The applicant changed on the issue of single or two story homes, the square footage, and at one point, stated that they were just going to have half-acre lots regardless of what the residents wanted. The residents are concerned with the off-site improvements, as well as, maintaining a rural area. MS. CASEY, as well as other residents, has

horses, goats, pigs, ducks, peacocks, and fowl on their properties, and this rural neighborhood is immediately adjacent to

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 32 – ZON-4219

MINUTES – Continued:

this proposed project. If two-story homes are built next to their properties, it will reduce the residents' privacy. MS. CASEY is also concerned with a liability issue. There would be seven homes that are not rural abutting her home, and there is a possibility that children will want to climb over the fence and play with some of these animals. In addition, some of the new residents may have a pool and would not want to have flies in their backyards. The residents have offered to change the alignment of the road and suggested using the amenities in the immediate neighborhood. The residents have been working with Councilman Brown's office and are willing to work with the applicant. However, they do oppose this application.

DIANE ZURCOSE, 7415 W. Craig, stated her main concern is the rural buffer zone. Across the street from her home are homes that look like apartments and they are so close together. There is no rural buffer zone, the mountain views will be taken away with two-story homes.

MR. BROWN apologized for the applicant was not aware of the short notice of the meetings. Councilman Brown's office was notified a week before the meeting date and the applicant had the meeting at the YMCA on Durango to make it easier for residents to attend. He also stated that the applicant does care about the residents and their concerns; they advised the residents that, if not this applicant, any developer could come in and put in what they want.

COMMISSIONER DAVENPORT asked if there was a reason for only one entrance on this project. DAVID GUERRA, Public Works, responded there is not necessarily a reason for it, but there are not enough units to require more than one entrance. The applicant can have multiple entrances. COMMISSIONER DAVENPORT suggested the applicant create a cul-de-sac on Tioga and Pioneer, which would split the traffic. MR. BROWN replied that the applicant would agree to it, but the residents wanted limited access and they wanted a cul-de-sac on Helena. CHAIRMAN TRUESDELL commented that the applicant could meet with the residents and work with them more on the Site Plan. He also stated that the Commission could vote on the zoning and hold the Site Plan. DEPUTY CITY ATTORNEY SCOTT responded that if there is a Waiver required for the open space, then the Site Plan would have to be held. MR. BROWN stated that the applicant would meet with the residents to work with them. CHAIRMAN TRUESDELL replied that he believes the residents are willing to work with the applicant in finding the best solution.

COMMISSIONER STEINMAN asked if a vehicle would be too close to the corner of Craig coming out onto Pioneer. MR. GUERRA replied that the applicant would need a Waiver because it is close. COMMISSIONER STEINMAN also asked about a wall along the backside of all the residents' properties. MS. CASEY replied that she has mixed feelings about being enclosed by an eight-foot wall; however, it would be appropriate if these homes are going to be

two-story. COMMISSIONER STEINMAN also stated that it would address her concern with the

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 32 – ZON-4219

MINUTES – Continued:

children climbing over. MS. CASEY agreed. COMMISSIONER STEINMAN asked if MS. CASEY had a problem with the lot closest to her home, which is lot 3, being a two-story. MS. CASEY replied that it depends on how the home is placed on the lot. If it were diagonal, then she would probably be okay with that. COMMISSIONER STEINMAN believes lot 3 should be one story, as well as, lots 8 and 9. CHAIRMAN TRUESDELL reiterated holding the item, as some of these issue can be resolved. MR. CLAPSADDLE suggested holding the item for 30 days to allow staff to advertise the open space Variance and to advertise the Waiver of Title 18 should it be required if the cul-de-sac is extended to Tioga.

COMMISSIONER McSWAIN stated that even though this is infill, she feels the application is not appropriate. It is right in the middle of RE, there are significant barriers with streets, and it is not reasonable when there is an established RE neighborhood and one resident would end up with five adjoining parcels. She supports holding the item but is not sure as to how she will vote when the item comes before the Commission again.

COMMISSIONER GOYNES concurred with COMMISSIONER McSWAIN and stated that he will not support this application. His concern is that this is a RE area. Some residents have been there for 20-30 years. This is a rural area, and the application is not compatible. When someone buys one of these \$800,000 homes and decides to have a picnic but has an experience with the flies. Then they want the long-time residents to move. COMMISSIONER GOYNES suggested the applicant place something on this parcel that is RE without the walls and accommodates the present residents. In addition, he suggested the applicant speak with the six residents who opposed the project and not those that live a distance from the project.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 32 [ZON-4219] and Item 33 [SDR-4222].

(7:51 – 8:14)

2-390

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4219 - PUBLIC HEARING - SDR-4222 - APPLICANT/OWNER: HORIZON HOMES, INC. - Request for a Site Development Plan Review for a 13-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN: 138-03-302-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 4 (Brown).

C.C.: 06/24/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 32 [ZON-4219] and Item 33 [SDR-4222].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 32 [ZON-4219] and Item 33 [SDR-4222].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 33 – SDR-4222

MINUTES – Continued:

Note: See Item 32 [ZON-4219] for all related discussion on Item 32 [ZON-4219] and Item 33 [SDR-4222].

(7:51 – 8:14)

2-390

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC. - Request for a Petition to vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack).

SET DATE: 06/16/04

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4205 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL - Request for a Rezoning FROM: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) AND U (UNDEVELOPED) [G-TC (General Tourist Commercial) General Plan Designation] TO: PD (PLANNED DEVELOPMENT) on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), Ward 2.

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion was rescinded to reconsider Item 35 [ZON-4205] – Subsequent motion by McSWAIN for APPROVAL with amended conditions to delete Condition no. 4 on Item 35 [ZON-4205] and to amend Condition no. 4 to read as follows: “The westernmost residential tower shall be limited to 14 stories in height, and the Queensridge Towers Development Standards document and submitted plans shall be modified to reflect this condition.” – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 35 – ZON-4205

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated there is a 14-story tower and three 18-story towers, which will be built in two phases. The westernmost tower is the 14-story tower, which is 157 feet in height, and the 18-story is approximately 201 feet in height. Staff recommends denial on all applications. On previous applications, there were three 12-story towers proposed on this site and on a smaller piece of property. In this case, the property is larger, the towers are taller and away from the residents, but staff would like to see the 14-story tower be reduced to a 12-story tower. If the westernmost tower were reduced to 12 stories, it still would not meet the residential adjacency standards. It would be closer and have less impact to the neighbors to the west. If the westernmost tower was reduced in size and the landscaping along the perimeter was enhanced to meet the standards of the Code, staff would be comfortable with the project. No approvals or protests were received in response to the mailing. However, one letter was received today prior to the meeting.

GREG BORGAL, 300 S. 4th Street, TOM SCHUMAN, Architect, and YOHAN LOWIE, Executive Home Builders, appeared on behalf of the applicant. MR. BORGAL stated that they appreciate the staff's concern, particularly with the western tower. The developer analyzed the site and was able to move two stories from this building, which left 14, 18, 18, and 18 stories. In addition, he was able to depress the western most building by two underground stories of parking. Although it is still a 14-story building, the height is reduced. The developer contemplated spending approximately \$4,000,000 replacing the clubhouse that serves the golf course and other amenities. The disclosure agreement is very clear, and those committed to purchase these homes are aware of the 18-story towers on this site and are probably enthusiastic about the development. The developer was contacted and has also provided signed letters regarding the disclosure from these homebuyers. The average prices of these units will exceed \$1,000,000, so this is compatible with the Queensridge Community, which is very nice and expensive. The City will benefit from this project. This project has more stories than the previous project; however, it is six feet lower than the previous one, based upon the evaluation done by the architect, MR. SCHUMAN. This project is below the allowable density on the site, so the applicant is not taking advantage of the density nor trying to create any intense use or traffic. There is a traffic issue at Alta and Rampart. Many of the same developers are involved in projects on the northeast corner of this intersection and are working on improving the traffic issue. The applicant would even agree to a Traffic Study, should one be deemed necessary. MR. BORGAL feels that the applicant is not part of the problem because the intensity is not being increased beyond the zoned area. Over 800 notices were mailed over the weekend and a neighborhood meeting was called though one was not required. MR. BORGAL also stated that the applicant agrees to the conditions, with the exception of Condition 4 on the Site Development Review, which the applicant would like to have deleted.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 35 – ZON-4205

MINUTES – Continued:

ANN SMITH, 653 Rivel, appeared on behalf of 20 residents and submitted a petition with 20 signatures opposing the project. The residents have been there since October 1997 and understood that there were going to have 12-story towers built on this property. The residents would like to see a height limit restriction rather than the number of stories. In addition, they oppose the Variance because they feel like it gives too much flexibility with the height. They are asking that the 14-story tower be reduced. They would like to retain the current zoning and planning in their community.

COMMISSIONER McSWAIN asked MS. SMITH what height restriction would the residents prefer on the westernmost tower. MS. SMITH replied that they would like to keep the height at or less than 167 feet, which is the height of the Sun Coast, which is the dominant landmark in their neighborhood. In fact, they prefer that all of these towers are not higher than Sun Coast. COMMISSIONER McSWAIN then asked how far MS. CASEY'S resident was from the proposed project. MS. CASEY responded that they are directly across the golf course. COMMISSIONER McSWAIN confirmed with MS. CASEY that these towers do not impede their view of the City.

DURWARD FARIES, 9801 Orient Express Court, stated he resides in Queensridge, which is adjacent to the proposed property. He has purchased a unit in the Tudors and has signed a disclosure form and approves of the project. He experienced the night-light coming from the Sun Coast; with this proposed project, it will eliminate most of the lighting.

VINCE LATONA, 9712 Winter Palace Drive in Queensridge, President of the Homeowner's Association, stated that the homeowner's association supports this project. Due to time constraints, the homeowner's association has not had a formal meeting so the Directors can vote on it. However, there have been informal meetings and all members support the project.

MR. BORGAL reiterated that 800 individuals were notified and the overall majority was satisfied with the project. He pointed out that the westernmost tower is, in fact, not higher than the Sun Coast. They are both 157 feet high.

COMMISSIONER McSWAIN stated that this project would establish the area as a premiere area, as it is a beautiful addition to the entire area. She would not like to see the building lowered to 12 stories because it would look odd. Developing skylines is a new thing in Las Vegas. She referenced a similar application in Town Center that was approved, which was an office building that abutted a residential single-family neighborhood. She supports the applicant's request to delete Condition no. 4.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 35 – ZON-4205

MINUTES – Continued:

COMMISSIONER STEINMAN stated that this project adds tremendous class to Summerlin and gives it diversity. The project being close to the adjoining property issue is mitigated by the disclosure, and it is assumed that everyone in the area received and signed this disclosure. He will support the application.

COMMISSIONER EVANS stated that he met with the applicant and reviewed this project. He likes the project and believes the conditions have been met, with the exception of the height issue. He is concerned where the City is going in the future. If the City will be developing 18-story towers throughout the valley, then at some point, the Code should be addressed in regards to what extent is vertical desired and where it should be. He hopes that one day a project of this capacity will be located downtown, as well as the urban area of the City. MR. BORGAL responded that he will be addressing that desire, as he will be presenting two similar applications on high-rise towers for downtown within the next 60 days.

VICE CHAIRMAN NIGRO asked if there were recent modifications on the Site Plan regarding the landscaping adjacent to the residents to the west. MR. BORGAL replied that they will be enhancing the elevation on their side of the property line. VICE CHAIRMAN NIGRO then commented that this location is the perfect area for this project due to the intensity of the area with the casino, traffic and retail. The project was done with a great deal of class and will lead to projects of increased density in areas like Town Center. This is one of the first projects on the west side of town that a lot of developers are doing around Las Vegas Boulevard with high-rise condos in a suburban area. The quality of this project gives the Commission a baseline when taking a look at future applications.

CHAIRMAN TRUESDELL stated that the developer has kept his commitment to the community in implementing the Master Plan and having retail and different levels of housing in this village. He commended the developer in hand delivering notices to all the residents. He received three letters supporting the project, and he feels the applicant will continue to work with those residents who have questions or concerns. This development will be an asset in this area.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

Note: See Item 35 [ZON-4205] for all related discussion on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

(8:14 – 8:47)

2-1206

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 35 – ZON-4205

CONDITIONS:

Planning and Development

1. This rezoning shall go direct to ordinance.
2. A Variance (VAR-4207) and Site Development Plan Review (SDR-4206) applications approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Conformance with the approved master development plan, except as modified by conditions herein. Any major amendment to the master development plan shall be advertised and heard as a public hearing item before the Planning Commission and City Council.
4. The Queensridge Towers Development Standards document shall be modified to restrict the westernmost residential tower to 14 stories in height.
5. A detailed landscape plan conforming to the requirements of the Landscape, Wall and Buffer Standards must be submitted to the Planning and Development Department for approval prior to issuance of building permits.

Public Works

6. Construct all incomplete half-street improvements on Alta Drive adjacent to this site concurrent with development of this site. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this

site outside of

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 35 – ZON-4205

CONDITIONS – Continued:

the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-4205 - PUBLIC HEARING - VAR-4207 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL - Request for a Variance TO ALLOW A BUILDING SETBACK OF 239 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 570 FEET IN CONJUNCTION WITH A PROPOSED CONDOMINIUM COMPLEX on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zones [G-TC (General Tourist Commercial) General Plan Designation] under Resolution of Intent to PD (Planned Development) [PROPOSED: PD (Planned Development)], Ward 2.

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion was rescinded to reconsider Item 35 [ZON-4205] – Subsequent motion by McSWAIN for APPROVAL with amended conditions to delete Condition no. 4 on Item 35 [ZON-4205] and to amend Condition no. 4 to read as follows: “The westernmost residential tower shall be limited to 14 stories in height, and the Queensridge Towers Development Standards document and submitted plans shall be modified to reflect this condition.” – UNANIMOUS

To be heard by the City Council on 7/07/2004

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 36 – VAR-4207

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

Note: See Item 35 [ZON-4205] for all related discussion on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

(8:14 – 8:47)

2-1206

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-4205) and Site Development Review (SDR-4206).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The applicant shall submit a sight line analysis of the visual impacts the towers will have on surrounding residential areas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4205 AND VAR-4207 - PUBLIC HEARING - SDR-4206 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: QUEENSRIDGE TOWERS, LIMITED LIABILITY COMPANY, ET AL - Request for a Site Development Plan Review FOR A 385-UNIT CONDOMINIUM COMPLEX CONSISTING OF TWO 16-STORY AND TWO 18-STORY TOWERS WITH ANCILLARY USES, CLUBHOUSE, AND A 17,400 SQUARE FOOT, SINGLE-STORY OFFICE BUILDING on 20.1 acres adjacent to the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard (APN: 138-32-210-001, portion of 138-31-312-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zones [G-TC (General Tourist Commercial) General Plan Designation] under Resolution of Intent to PD (Planned Development) [PROPOSED: PD (Planned Development)], Ward 2.

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion was rescinded to reconsider Item 35 [ZON-4205] – Subsequent motion by McSWAIN for APPROVAL with amended conditions to delete Condition no. 4 on Item 35 [ZON-4205] and to amend Condition no. 4 to read as follows: “The westernmost residential tower shall be limited to 14 stories in height, and the Queensridge Towers Development Standards document and submitted plans shall be modified to reflect this condition.” – UNANIMOUS

To be heard by the City Council on 7/07/2004

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 37 – SDR-4206

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

Note: See Item 35 [ZON-4205] for all related discussion on Item 35 [ZON-4205], Item 36 [VAR-4207] and Item 37 [SDR-4206].

(8:14 – 8:47)

2-1206

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4205) to a PD (Planned Development) Zoning District and a Variance (VAR-4207) approved by City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 07/07/04, and the Queensridge Towers Development Standards document, except as amended by conditions herein.
4. The westernmost residential tower shall be limited to 14 stories in height, and the Queensridge Towers Development Standards document and submitted plans shall be modified to reflect this condition.
5. A detailed landscape plan conforming to the requirements of the Landscape, Wall and Buffer Standards must be submitted to the Planning and Development Department for approval prior to the issuance of building permits. The use of turf shall be limited to a maximum of 12.5% of the total landscaped area. The number of trees in the perimeter buffers shall be increased as required by City standards.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 37 – SDR-4206

CONDITIONS – Continued:

The Queensridge Towers Development Standards document shall be modified to reflect the requirement for a Master Sign Plan.

8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with Title 19.08.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the northwest prior to the issuance of any permits.
14. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4205 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4241 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 20.0 acres south of Grand Teton Drive, between Hualapai Way and Puli Road (APN: 126-13-301-005, 006; 126-24-101-009; and 126-24-201-005), Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion for APPROVAL with McSWAIN abstaining as her company is doing work that indirectly benefits Focus – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that the proposed development is consistent with the Cenennial Hills Plan and also conforms to the density range of the PCD Planned Use classification. Staff recommends approval. Thirty-eight notices were mailed and no protests or approvals were received.

CALVIN CHAMPLIN, 3455 Cliff Shadows Parkway, appeared on behalf of the applicant. This is the fifth in a series of rezoning in the Cliff's Edge Master Plan area. There will be a total of 20

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 38 – ZON-4241

MINUTES – Continued:

acres in the Master Plan subject to the same development criteria. The applicant agreed with staff's recommendations and request approval.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:08 – 9:09)

2-2582

CONDITIONS:

Planning and Development

1. This rezoning shall go direct to Ordinance. No Resolution of Intent is required.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

Public Works

4. Upon development of this parcel as a part of Cliff's Edge Master Development Plan, additional dedication and/or vacations of rights-of-way may be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.
5. Requirements for construction of street improvements adjacent to these sites shall be determined at the time of development of these sites.
6. This site shall be included within the master sewer, drainage, and traffic studies for Cliff's Edge Master Development Plan and also within any additional design plans/studies submitted to the City of Las Vegas for review that include this parcel. The final design and conditions for this site within the Cliff's Edge Master Development Plan shall be determined at the time of approval of site-specific actions associated with this parcel.
7. Site development to comply with Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4279 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITY) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 0.29 acres approximately 200 feet north of Vegas Drive and 500 feet east of Rainbow Boulevard (APN: 138-23-401-002), Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 39 [ZON-4279] and Item 40 [SDR-4278].

KYLE WALTON, Planning and Development, stated the proposed zoning of Civic is compatible with the surrounding land uses and the Public Facility land use classification that is designated for the property. The proposed well facility is an allowable use in the Civic district and is compatible with the adjacent properties around it. Staff recommends approval. Two hundred and twenty-four notices mailed, and no approvals or protests were received.

DAN WEISNER, Las Vegas Valley Water District, 1001 S. Valley View, concurred with staff's recommendations and requested approval.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 39 – ZON-4279

MINUTES – Continued:

SCOTT HOLFER, Miranda and Associates, 630 S. 4th Street, appeared on behalf of Boomerang's, requested that the Commission deny the application and hold it to allow sufficient time to meet with the Water District and obtain more information regarding this project. CHAIRMAN TRUESDELL confirmed with MR. HOLFER that there is a water facility adjacent to the applicant's property. CHAIRMAN TRUESDELL then asked MR. HOLFER what were the applicant's reasons were for wanting to hold this item, as he does not see how this facility would change or impact the area other than it would be an upgrade. MR. HOLFER replied that they are concerned with the tower and the physical layout of the water facility.

COMMISSIONER McSWAIN stated that there is time for the applicant to meet with the Water District to address any concerns prior to the next City Council meeting.

BRONSON MACK, Las Vegas Valley Water District, 1001 S. Valley View, stated that notifications were sent out to residences and businesses adjacent to this property. No one attended the meeting, which was held on this site. He also stated that there would not be a problem meeting with representatives from Boomerang's and submit any information they would like.

COMMISSIONER EVANS asked if the item were held, would it create a problem with beginning construction. MR. HOLFER replied that the suggestion to meet with individuals from Boomerang's prior to the next City Council meeting would be amenable.

CHAIRMAN TRUESDELL stated he will support the application and reiterated that the parties meet before the next City Council meeting.

COMMISSIONER GOYNES commented that he believed the issue the property owner had was the 50-foot antenna and would it remain at the same location. MR. HOLFER replied that the antenna would be relocated approximately 30-40 feet to the east.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 39 [ZON-4279] and Item 40 [SDR-4278].

(9:09 – 9:16)

2-2582

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 39 – ZON-4279

CONDITIONS:

Planning and Development

1. This rezoning shall go direct to Ordinance. No Resolution of Intent is required.
2. Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

Public Works

4. Upon development of this parcel as a part of Cliff's Edge Master Development Plan, additional dedication and/or vacations of rights-of-way may be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.
5. Requirements for construction of street improvements adjacent to these sites shall be determined at the time of development of these sites.
6. This site shall be included within the master sewer, drainage, and traffic studies for Cliff's Edge Master Development Plan and also within any additional design plans/studies submitted to the City of Las Vegas for review that include this parcel. The final design and conditions for this site within the Cliff's Edge Master Development Plan shall be determined at the time of approval of site-specific actions associated with this parcel.
7. Site development to comply with Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4279 - PUBLIC HEARING - SDR-4278 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for a Site Development Plan Review FOR A 550 SQUARE FOOT WELL FACILITY AN A 50 FOOT ANTENNA on 0.29 acres approximately 200 feet north of Vegas Drive and 500 feet east of Rainbow Boulevard (APN: 138-23-401-002), U (Undeveloped) Zone [PF (Public Facility) General Plan Designation] [PROPOSED: C-V (Civic)], Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 39 [ZON-4279] and Item 40 [SDR-4278].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 39 [ZON-4279] and Item 40 [SDR-4278].

Note: See Item 39 [ZON-4279] for all related discussion on Item 39 [ZON-4279] and Item 40 [SDR-4278].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 40 – SDR-4278

MINUTES – Continued

(9:09 – 9:16)
2-2582

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. A Rezoning (ZON-4279) to a C-V Zoning District approved by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Site development to comply with all applicable conditions of approval for ZON-4279 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4281 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITY) GENERAL PLAN DESIGNATION] AND R-PD20 (RESIDENTIAL PLANNED DEVELOPMENT - 20 UNITS PRE ACRE) TO: C-V (CIVIC) on 0.33 acres adjacent to the north side of Vegas Drive, approximately 625 feet west of Torrey Pines Drive (APN: 138-23-402-002 and 003), Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 41 [ZON-4281] and Item 42 [SDR-4280].

KYLE WALTON, Planning and Development, stated that the application is compatible with the General Plan. One hundred and forty-three notices were mailed and no approvals or protests were received.

DAN WEISNER, Las Vegas Valley Water District, 1001 S. Valley View Boulevard, concurred with staff's recommendations and request approval.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 41 – ZON-4281

MINUTES – Continued:

COMMISSIONER McSWAIN confirmed with MR. WEISNER that there is an existing 30-foot antenna, but it will be replaced with a 50-foot antenna. COMMISSIONER McSWAIN then asked why the 30-foot antenna could not remain at the site. MR. WEISNER replied that it was built in the 1970's, as there has been more development in the area, it is interfering with their radio communications. MR. WEISNER also noted that the building would shift slightly. Using the overhead, MR. WEISNER pointed out where the antenna would be located. In addition, the transformers would be removed. He also noted that a meeting was held with the District Manager and residents at Camden Properties. One of the residents, who resides adjacent to the antenna, stated that the antenna would be acceptable as she now has trees in her view as well.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 41 [ZON-4281] and Item 42 [SDR-4280].

(9:16 – 9:21)

2-2998

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4280) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4281 - PUBLIC HEARING – SDR-4280 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for a Site Development Plan Review FOR A 550 SQUARE FOOT WELL FACILITY AND A 50 FOOT ANTENNA on 0.33 acres located adjacent to the north side Vegas Drive, approximately 625 feet west of Torrey Pines Drive (APN: 138-23-402-002 and 003), U (Undeveloped) [PF (Public Facility) General Plan Designation] and R-PD20 (Residential Planned Development - 20 Units Per Acre) Zones [PROPOSED: C-V (Civic)], Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 41 [ZON-4281] and Item 42 [SDR-4280].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 41 [ZON-4281] and Item 42 [SDR-4280].

Note: See Item 39 [ZON-4279] for all related discussion on Item 41 [ZON-4281] and Item 42 [SDR-4280].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 42 – SDR-4280

MINUTES -- Continued

(9:16 – 9:21)
2-2998

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. A Rezoning (ZON-4281) to a C-V (Civic) Zoning District approved by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 07/07/04, except as amended by conditions herein.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Site development to comply with all applicable conditions of approval for ZON-4281 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4288 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), Ward 6 (Mack).

ABEY: 06/24/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291].

ELAINE ARELLANO, 1555 S. Rainbow, stated a request letter was submitted to hold Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291] in abeyance until June 24th Planning Commission meeting.

DAVID CLAPSADDLE, Planning and Development, concurred with the abeyance.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-4288 - PUBLIC HEARING - SUP-4289 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST - Request for a Special Use Permit FOR A RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

ABEY: 06/24/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291].

ELAINE ARELLANO, 1555 S. Rainbow, stated a request letter was submitted to hold Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291] in abeyance until June 24th Planning Commission meeting.

DAVID CLAPSADDLE, Planning and Development, concurred with the abeyance.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4288 AND SUP-4289 - PUBLIC HEARING - SDR-4291 - APPLICANT/OWNER: WEST EDNA ASSOCIATION, LIMITED PROFIT SHARING PLAN & THE 1981 MARTIN FAMILY TRUST - Request for a Site Development Plan Review and Waivers of the Landscaping and Commercial Requirements FOR A RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY on 0.97 acres adjacent to the southeast corner of Jones Boulevard and Verde Way (APN: 125-36-402-011), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

ABEY: 06/24/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS with EVANS absent

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291].

ELAINE ARELLANO, 1555 S. Rainbow, stated a request letter was submitted to hold Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291] in abeyance until June 24th Planning Commission meeting.

DAVID CLAPSADDLE, Planning and Development, concurred with the abeyance.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 45 – SDR-4291

MINUTES - Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 43 [ZON-4288], Item 44 [SUP-4289] and Item 45 [SDR-4291].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4300 - APPLICANT/OWNER: CARINA CORPORATION - Request for a Variance TO ALLOW 1.94 ACRES OF OPEN SPACE WHERE 2.41 ACRES ARE REQUIRED FOR A PROPOSED MIXED USE DEVELOPMENT adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – Motion for APPROVAL subject to conditions and deleting Condition 2 on Item 46 [VAR-4300] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290].

KYLE WALTON, Planning and Development, stated that the open space variance can be supported since it covers the entire area of the development. Staff also supports the private streets so they can be maintained at the level they prefer within this village. The single-family detached development is compatible with existing residential development to the east. The proposed plan is in conformance with the commercial/residential type design and concept to the Town Center's suburban mixed-use land use. Staff recommends approval. One hundred and eighty-four notices were mailed, and no approvals or protests were received.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 46 – VAR-4300

MINUTES – Continued:

REBECCA RALSTON, Carina Homes, stated that they previously a General Plan Amendment and a Rezoning. Using the overhead, she presented a detailed illustration of the development, which included a gazebo and park area accessible to the community and the public; single family detached homes; live/work units which are loft spaces above offices; a residential component on top of retail spaces along the main street; and the streetscape aspects.

MS. RALSTON requested Condition 2 on Item 46 [VAR-4300] be deleted because the applicant is building a park, which the costs is estimated at 1.04 million dollars. This will be a park open to the public, which will include an amphitheater, a tot lot, a large play area with numerous pavilions, a community center and a pool facility. The applicant is aware that the park is a contribution when there is deficiency in the open space requirement; however, the applicant feels strongly that they exceed the intent of that contribution. In regards to the open space requirement and the five-foot amenity zone, there are tree-line streets throughout the community, and the amenity zone would be included in a public street calculation but does not include the private streets. The applicant feels they exceed the amenity zone of the open space requirement.

MS. RALSTON also requested that Condition 9 on Item 48 [SUP-4299] be amended to state “All development shall be in substantial conformance...”. DEPUTY CITY ATTORNEY SCOTT, City Attorney, suggested using a better term instead of substantial. DAVID CLAPSADDLE, Planning and Development, replied that staff understands there will be some latitude and may be some changes. If there were major changes, staff would bring it to the Commission’s attention. MS. RALSTON concurred with leaving Condition no. 9 in tact, since it is understood that there may be minor changes.

MS. RALSTON then questioned Condition 10 on Item 48 [SUP-4299] regarding tandem garages. Using the overhead, she pointed out units that have tandem garages. There is a minimum 20-foot driveway, and asked if this qualifies as the provided parking space. MR. WALTON replied that technically it would not; however, an option for parking would be in the rear of the homes where there is a commercial parking lot. A condition can be implemented to include a parking agreement so there will be parking available for commercial use as well as the condominiums. MS. RALSTON concurred and agreed to working with staff on the agreement. DEPUTY CITY ATTORNEY SCOTT clarified that if each unit were owned separately, then a parking agreement would have to be made with each unit owner. COMMISSIONER DAVENPORT confirmed with MS. RALSTON that there will be a homeowner’s association. MR. WALTON stated that staff is working with the applicant on the tentative maps so that this parking agreement can be made. COMMISSIONER STEINMAN pointed out that there needs to be a cross access because the applicant would have a problem if the commercial property would sell at some point. MS. RALSTON stated that they are working with an attorney to develop CC&R’s for the entire property.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 46 – VAR-4300

MINUTES – Continued:

MS. RALSTON repeated the requests on the above-mentioned conditions for COMMISSIONER EVANS, as she initially stated the condition numbers incorrectly as eight and nine. MR. WALTON informed COMMISSIONER EVANS that staff could agree to the applicant's requests, as COMMISSIONER EVANS inquired about the staff's position on these requests. Generally, COMMISSIONER EVANS would not support such an application, but this is a unique project that has a good deal of innovative design and raises the bar, so he will support this application. COMMISSIONER STEINMAN added the fact that the applicant is spending \$1,000,000 on part of the open space is far beyond a mitigating circumstance. MR. CLAPSADDLE added that the applicant still pays the residential construction taxes, which goes to parks.

COMMISSIONER STEINMAN asked for clarification as to why a request is for a landscaping variance. MR. WALTON replied that it is actually for open space. MR. WALTON also stated that the applicant is not supplying the normal required amount of perimeter landscaping along Tule Springs. However, the entire site is well landscaped, including the amount of open space they are providing, so the waiver was pointed out but is not a big issue. MR. CLAPSADDLE commented that with a mixed-use project such as this one, fair-trading will sometimes occur. COMMISSIONER STEINMAN asked for staff to clarify "turf". MR. CLAPSADDLE replied that "turf" was used as a result from the changes with the Code regarding the drought. Turf cannot be placed in landscape medians. MS. RALSTON confirmed that they will use artificial turf in limited areas within the park, as well as drought tolerant landscaping, such as ground covers. COMMISSIONER EVANS stated that there are valid places for turf, particularly in common areas and parks. MS. RALSTON informed COMMISSIONER EVANS that a marketing team is researching a true name and icon for this park, as Circle Park was used as a generic name at this time. For the record, this will be a public use facility and will be maintained through the homeowner's association and not the City. CHAIRMAN TRUESDELL commented that this is a great looking park and complimented the developer for coming back and presenting to the Commission what he promised. Staff will work with the applicant prior to the next City Council meeting regarding any provisions of the language on the Site Development Plan Review for Item 48 [SDR-4290].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290]

(9:21 – 9:47)

2-3260

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 46 – VAR-4300

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4300 - PUBLIC HEARING - SUP-4299 - APPLICANT/OWNER: CARINA CORPORATION - Request for a Special Use Permit FOR PRIVATE STREETS FOR A PROPOSED MIXED USE DEVELOPMENT AND A WAIVER TO ALLOW THE PRIVATE STREETS TO NOT BE GATED adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – Motion for APPROVAL subject to conditions and deleting Condition 2 on Item 46 [VAR-4300] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290].

Note: See Item 46 [VAR-4300] for all related discussion on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 47 – SUP-4299

MINUTES – Continued:

(9:21 – 9:47)
2-3260

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$81,892.80 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4299 AND VAR-4300 - PUBLIC HEARING - SDR-4290 - APPLICANT/OWNER: CARINA CORPORATION - Request for a Site Development Plan Review and a Waiver of the Landscaping Standards FOR A PROPOSED MIXED USE DEVELOPMENT on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN: 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – Motion for APPROVAL subject to conditions and deleting Condition 2 on Item 46 [VAR-4300] – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290].

Note: See Item 46 [VAR-4300] for all related discussion on Item 46 [VAR-4300], Item 47 [SUP-4299] and Item 48 [SDR-4290].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 48 – SDR-4290

MINUTES – Continued:

(9:21 – 9:47)
2-3260

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$81,892.80 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4287 - APPLICANT: APPLEBEE'S - OWNER: WEINGARTEN NOSTAT, INC. - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the south side of Charleston Boulevard, approximately 480 feet east of Decatur Boulevard (a portion of APN: 162-06-112-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – Motion for APPROVAL subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 49 [SUP-4287] and Item 50 [SDR-4286].

DAVID CLAPSADDLE, Planning and Development, stated the application meets the standards of the Code for supper clubs. The only landscaping standard waiver is minor. It is within an existing commercial shopping center. There is a slight reduction in the amount of landscaping around the building, but the landscaping is more than what is around the other current building in the subdivision. Staff recommends approval. Six hundred and thirty-four notices mailed and no approvals or protests were received.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 49 – SUP-4287

MINUTES – Continued:

SCOTT RUDY, WRG Design, appeared on behalf of the applicant, and stated that the applicant concurs with staff's recommendations. The waiver for the landscaping is only the area adjacent to the outside patio area.

COMMISSIONER McSWAIN stated she has abstained in the past on this project, as her company worked on this project. The work was concluded several years ago and her company is not under contract with Weingarten Realty Investors at this time, so she will be voting on Item 49 [SUP-4287] and Item 50 [SDR-4286].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 49 [SUP-4287] and Item 50 [SDR-4286].

(9:47 – 9:50)

3-634

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4287 - PUBLIC HEARING – SDR-4286 - APPLICANT: APPLEBEE'S - OWNER: WEINGARTEN NOSTAT, INC. -
Request for a Site Development Plan Review and a Waiver of the Landscaping Requirements FOR A RESTAURANT on 8.99 acres adjacent to the south side of Charleston Boulevard, approximately 480 feet east of Decatur Boulevard (a portion of APN: 162-06-112-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – Motion for APPROVAL subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 49 [SUP-4287] and Item 50 [SDR-4286].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 49 [SUP-4287] and Item 50 [SDR-4286].

Note: See Item 46 [VAR-4300] for all related discussion on Item 49 [SUP-4287] and Item 50 [SDR-4286].

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 50 – SDR-4286

MINUTES – Continued:

(9:47 – 9:50)
3-634

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit SUP-4287.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the submitted plans date stamped 07/07/04.
4. A permanent underground sprinkler system shall be installed in all landscape areas and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. The diamond-shaped landscape planters depicted on the plan are not permitted by code, and shall be replaced with a five-foot wide landscape planter parallel to and extending the length of the abutting parking spaces.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The trash enclosure shall walled and roofed in accordance with the requirements of Title 19.08.045.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 50 – SDR-4286

CONDITIONS – Continued:

Public Works

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
11. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
12. Site development to comply with all applicable conditions of approval for Z-75-62 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - RQR-4264 - APPLICANT: SENSATION SPAS OF NEVADA - OWNER: HOWARD JOHNSON -
Required Six Month Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN: 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack).

DENIED: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the June 24, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – Motion for ABEYANCE was rescinded with EVANS abstaining – Subsequent motion for DENIAL was APPROVED – UNANIMOUS

This is Final Action, unless appealed within 10 days

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that staff's concern is with the lack of improvement and the developer has not done what he promised to do. Staff recommends denial.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 51 – RQR-4264

MINUTES – Continued:

CHAIRMAN TRUESDELL asked if the applicant was present, but no one appeared before the Commission. COMMISSIONER DAVENPORT pointed out that the applicant was in attendance earlier but left. Previously, this item was presented to the Commission and was up for a 12-month review. Although the applicant had Nevada Department of Transportation's (NDOT) approval, it was believed that NDOT was held responsible for nothing being done on this property. The Commission gave the applicant six months but the applicant promised to complete it in 90 days. COMMISSIONER DAVENPORT has viewed the property and to date, nothing has been done. He concurs with staff's recommendation. CHAIRMAN TRUESDELL concurred and added that the property is an eyesore. He also pointed out that it was disingenuous for the applicant to misrepresent to the Commission and not keep his word, as well as, leave the meeting if he was, in fact, in attendance. MR. CLAPSADDLE responded to COMMISSIONER GOYNES that the applicant was supposed to clean up the entire area, have road improvements and store materials within the parcel and not elsewhere. COMMISSIONER GOYNES commented that he viewed the property today and noticed sprinklers on water the dirt. This makes a statement to the Commission when the applicant does not responded to the agreement. MR. CLAPSADDLE noted that staff will contact the applicant regarding the denial of his application.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:50 – 9:53)

3-741

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4247 - APPLICANT: TIM C. AYALA - OWNER: WEINGARTEN NOSTAT, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED, A WAIVER TO ALLOW THE SQUARE FOOTAGE TO BE LESS THAN 1,500 SQUARE FEET, AND TO ALLOW THE USE TO BE CLOSER THAN 200 FEET FROM A RESIDENTIALLY ZONED PARCEL at 849 South Rainbow Boulevard (APN: 138-34-717-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

ABEY: 06/10/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that the applicant has requested that this item be held in abeyance for two weeks.

No discussion took place.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4295 - APPLICANT/OWNER: DOUG AND BRENDA ROBINSON - Request for a Special Use Permit FOR A CASITA at 8401 Bonnie Blue Street (APN: 125-08-717-031), R-PD3 (Residential Planned Development 3 Units Per Acre) Zone, Ward 6 (Mack).

C.C.: 07/07/2004

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 7/07/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this application is for a Special Use Permit for a one-bedroom casita. It meets all the setbacks for the RPD and for a detached accessory structure. Staff recommends approvals and no protests or approvals were received.

DOUG ROBINSON, 8401 Bonnie Blue Street, concurred with staff's recommendations.

COMMISSIONER STEINMAN pointed out that there was actually one approval. MR. CLAPSADDLE concurred and apologized for the previous incorrect statement.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 53 – SUP-4295

MINUTES – Continued:

COMMISSIONER EVANS referred to the Special Districts and Zones section of the Staff's Report and asked how this project, a Casita, is considered a project of regional significance. MR. CLAPSADDLE replied it is based on a technicality because it is a Special Use Permit and is within 500 feet of County.

COMMISSIONER STEINMAN pointed out a possible significant issue regarding the houses behind this lot are on lots 10 feet above this lot. One of those houses is two-story, which will look directly down at the proposed casita. COMMISSIONER EVANS asked if any of the views would be obstructed. COMMISSIONER STEINMAN replied that the view is not the issue; it is looking down at the top of a building. With normal setbacks to a house, the view is the entire backyard and not the roof and the backyard.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:54 – 9:58)

3-852

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the site plan and elevations as submitted.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - SUP-4316 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: MOISES, MARIO AND ZARQUIS GARCIA - Request for a Special Use Permit FOR A 40 FOOT 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1527 West Bonanza Road (APN: 139-28-401-021), C-2 (General Commercial) Zone, Ward 5 (Weekly).

STRICKEN

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to STRIKE – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that this application was originally submitted as a brand new billboard that could possibly meet the current standards for separation distance for billboards along the freeway. Since then, staff has been informed that since February, there has been a process to keep a billboard that was being removed by NDOT. A permit to remove the sign had been issued and the sign was removed. Within the last 30 days, the owner of the new sign was going to be relocate the sign because of conditions staff granted having signs along this piece of freeway be moved. The applicant submitted a building permit application and had the authority to reinstall a sign that was within approximately 500 feet of this location. Therefore, based on standards used in the past for billboards, staff would not be able to review this application because the sign is within the limits of the separation distance for billboards. Staff now needs to change the initial recommendation for approval to denial. The property owner, Ahern, has had the authority for over a month to relocate the sign that was taken down by NDOT.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 54 – SUP-4316

MINUTES – Continued:

CHAIRMAN TRUESDELL asked staff that based upon previous requests when something else was already in the system, could the proposed application be reviewed. MR. WALTON stated technically no. It is determined at the pre-application conference, whether or not a new billboard could be justified based on separation distance. When staff reviewed this application, they were not aware that an application was already submitted to the Building and Safety Department to obtain a building permit for a sign located 500 feet to the west of this location. CHAIRMAN TRUESDELL asked if it would be appropriate to strike this item. MR. WALTON concurred. DEPUTY CITY ATTORNEY SCOTT concurred and noted his concern of the signs along U.S. 95 as result of the widening project. MARGO WHEELER, Planning and Development, stated that the demo permit was issued for the existing sign on March 26th; the permit to construct the replacement sign did not come in until May 12th. During this intervening period, it appeared that there was not a sign there when the data was reviewed. In order to respond to the NDOT issue regarding the freeway-widening project and the acquisition of the permit to rebuild, sometimes the existing billboard location gets lost in this period of time, which is what appears to have occurred here. MS. WHEELER concurred with tabling the item. DEPUTY CITY ATTORNEY SCOTT asked if there was a timeframe placed on the reconstruction of the billboard. MS. WHEELER replied no. DEPUTY CITY ATTORNEY SCOTT commented that if the item is tabled, it might prolong the project for a long period of time, as there is no timeframe as to when the billboard would be rebuilt. He suggesting striking the item would be the best method, as the applicant could reapply. He also stated that the new billboard does not have to be approved by the Planning Commission; it would only require a building permit, as it has already been issued. COMMISSIONER EVANS suggested hearing from the applicant.

KEVIN CHILD, 4050 Harmon, appeared on behalf of the applicant and the owner of the property, MR. GARCIA. MR. CHILD requested that the item be tabled. DEPUTY CITY ATTORNEY SCOTT replied that tabling the item would be a problem because of the billboard that will be erected on the Ahern site and there is no timeframe. So if it were not built for years, the applicant would be prohibited from doing anything. The application would be held in limbo and could get lost in the system. After a certain amount of time, if Ahern's sign is not rebuilt, then the applicant can reapply for another sign. At that time, Ahern can be contacted to find out what their plans are.

CHAIRMAN TRUESDELL pointed out the potential conflict along this particular corridor as the widening project continues and the objective is to keep the conflict to a minimum. MS. WHEELER stated that staff is instituting notations on the Building and Safety department demo and building permits to go along with Planning's record keeping.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 54 – SUP-4316

MINUTES – Continued:

ROD CARTER, 2880 Mead Avenue, appeared on behalf of Clear Channel Outdoor and Ahern. MR. CARTER stated that he has copies of the demo permit and the permit to rebuild. It is their intention to rebuild the structure within the next 60 days. MR. CARTER expressed the concern over reducing the separation requirement by approximately 200 feet would not be consistent with the Code and requested that the application be denied.

CHAIRMAN TRUESDELL stated that he is not comfortable with tabling the item. The appropriate motion is to strike the item from the agenda and let the applicant start over at an appropriate timeframe.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:58 – 10:08)

3-998

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4182 - APPLICANT: TESA PARTNERS I - OWNER: RANCHO PINES II, LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A MEDICAL OFFICE DEVELOPMENT CONSISTING OF FOUR 4,000 SQUARE FOOT SINGLE STORY BUILDINGS on 1.49 acres adjacent to the west side of Torrey Pines Drive, approximately 200 feet north of Rancho Drive (APN: 138-02-214-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

ABEY: 6/24/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance until June 24, 2004 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that the proposed application is in conformance with the limited commercial zoning district. The structures conform to setback, height and lot coverage requirements of the C-1 district. The proposed development is a low intensity use and is compatible with both the adjacent commercial and residential development. Staff recommends approval. One hundred and thirteen notices were mailed and no approvals or protests were received.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 55 – SDR-4182

MINUTES – Continued:

JENNIE OSHIZAWA, 10120, appeared on behalf of the applicant and agreed to staff's conditions.

MS. OSHIZAWA informed COMMISSIONER DAVENPORT that a group of individuals own the property. Ownership has changed within the past years and the owners are not the previous applicants. MS. OSHIZAWA informed CHAIRMAN TRUESDELL that Alicia Moo is the manager and resides in Las Vegas. COMMISSIONER DAVENPORT expressed his concern regarding conflict. He has been contacted by an individual for a loan regarding a medical building and wondered if this was the property. It was confirmed that there was not a conflict, so COMMISSIONER DAVENPORT would vote on this item.

DAVID CLAPSADDLE, Planning and Development, stated that Condition 14 needs to be deleted. MS. OSHIZAWA concurred with the deletion.

COMMISSIONER STEINMAN stated that the report indicates 164 parking spaces. It is his understanding that staff makes the assumption that all of the spaces in the shopping center are available for parking on this project. MR. WALTON replied that this is a commercial subdivision, and there are shared access agreements between the property owners so parking was not an issue. COMMISSIONER STEINMAN expressed a strong concern as to how the parking will accommodate individuals coming to the medical office building. MR. WALTON replied that the Code requires the applicant provide 162 parking spaces, and they are providing 164, as well as additional handicap parking spaces. COMMISSIONER STEINMAN stressed the fact that there could be a legality issue, as it is unlikely that an individual will park in the front and walk to the back for the medical center where there is no parking. There are too many buildings in the rear and the clients will be shortchanged, and it does not make much sense. VICE CHAIRMAN NIGRO pointed out that the Code does not contemplate where the parking has to be in relation to the building. In addition, there is no pedestrian connection between the two parking lots. COMMISSIONER STEINMAN stated if the retail buildings were out on Rancho and the parking was on the interior of the office buildings, it would work. However, the way the project is set up, it is two distinct areas and there will not be sufficient parking if all four of these buildings are filled with tenants, as clients will want to park close to these offices. There are too many buildings in the rear. COMMISSIONER STEINMAN stated, for the record, that the interpretation on how parking spaces are counted is wrong; however, he will support the application because it does meet the Code even though the parking does not functionally work. VICE CHAIRMAN NIGRO concurred with COMMISSIONER STEINMAN. In addition, what happens in situations like this is that offices suffer from business because of insufficient parking and clients do not want to deal with it. CHAIRMAN TRUESDELL concurred. VICE CHAIRMAN NIGRO suggested adding a condition requiring pedestrian access between the parking lots to assist the developer in mitigating a potential problem.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 55 – SDR-4182

MINUTES – Continued:

MS. OSHIZAWA stated that the site was very difficult to configure. She confirmed for CHAIRMAN TRUESDELL that there is a cross easement agreement with the shopping center, and it is with the same owners. CHAIRMAN TRUESDELL noted that the Commission is doing a disservice to the developer if the Site Plan was approved. CHAIRMAN TRUESDELL decided that he could not support this application. COMMISSIONER STEINMAN concurred with CHAIRMAN TRUESDELL and decided to oppose the application. VICE CHAIRMAN NIGRO then asked what would be the basis for denying the application if it meets the Code. DEPUTY CITY ATTORNEY SCOTT replied that the application does meet the Code with regards to how many spaces the applicant has for the amount of square footage they are proposing. It is going to be a business decision for the applicant, as to if the applicant can make this site work with 50% retail and 50% medical with where the parking is located. CHAIRMAN TRUESDELL stated that when retail centers are looked at, the City looks at the Code and analyzes whether the parking is appropriate. DEPUTY CITY ATTORNEY SCOTT stated that there are no provisions in the Code that mandates each parking space has to be within 300 feet of the front door of each particular pad. He quoted criteria from the Code and then stated that the issue of parking does not fit any of the criteria quoted. COMMISSIONER EVANS stated there has been significant discussion regarding the lack of harmony of the proposed design. CHAIRMAN TRUESDELL confirmed with staff that there is no street parking along Torrey Pines, but feels that clients will park there to avoid the parking problem. DEPUTY CITY ATTORNEY SCOTT stated that if the layout of the site had some impact on the adjacent neighborhood, or was unsightly compared to the adjacent neighborhood, or was obnoxious in character in relation to the general neighborhood, then the Site Plan would regulate these issues. There is no Code that regulates a bad business decision.

COMMISSIONER EVANS confirmed with MS. OSHIZAWA that the applicant would consider placing the application on hold to review their options. She also pointed out that the past uses were industrial, so they have put forth an effort to create buildings that were residential in style with low intensity uses. COMMISSIONER McSWAIN asked if traffic spilled over into the adjacent residential area, would it not affect one of the outlined conditions. DEPUTY CITY ATTORNEY SCOTT replied that if a Variance existed, then traffic would be an issue. COMMISSIONER McSWAIN then commented that because of human nature, it would impact the adjacent residential area. VICE CHAIRMAN NIGRO suggested holding the item until the June 24th Planning Commission meeting, instead of adding conditions, as he previously suggested. This will give the applicant and developer time to modify the parking area so it can be more functional with the office buildings. MS. OSHIZAWA concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:08 – 10:26)

3-1375

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

**SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4292 -
APPLICANT: La POUR PARTNERS, INC. - OWNER CLASSIC LIGHTING, INC. -
Request for a Site Development Plan Review and a Waiver of the Landscaping Requirements
FOR A PROPOSED 6,666 SQUARE FOOT COMMERCIAL BUILDING on 0.27 acres at 219
West Charleston Boulevard (APN: 162-04-504-008), M (Industrial) Zone, Ward 1 (Moncrief).**

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**GOYNES – Motion for APPROVAL – UNANIMOUS with NIGRO abstaining as Scott
Gregson is one of the partners in this project as well as a partner another project**

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that this is a Site Plan Review for an expansion of the Holsum Lofts. There will be more residential units, retail space and additional parking. The proposed development is consistent with the redevelopment plan for the downtown, Centennial Master Plan, and staff recommends approval. Fifty-five notices were mailed and no approvals or protests were received.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 56 – SDR-4292

MINUTES – Continued:

JEFF LAPOUR, Applicant, 5525 S. Decatur, concurs with staff's recommendations and requested approval.

JIM SOUTH, 307 W. Charleston, also represented NICKI WISCHINSKY, W. Charleston, stated he is located right next door to this project. MR. SOUTH requested clarification if the street that runs parallel to Charleston was being closed down, as this area is just about in front of MR. WISCHINSKY'S office and this would eliminate some of the public parking.

DAVID GUERRA, Public Works, stated that the current access off of Western would be maintained. COMMISSIONER EVANS confirmed with MR. GUERRA that there is no access off of Charleston. LAPOUR Partners is proposing access to Charleston; in that process, they are placing a blockade on the very western edge of their entryway, as noted on the Site Plan. This would not impede or dissinigrate any properties access to Charleston that they currently have. CHAIRMAN TRUESDELL added that it does not impact their access but it may impact their enjoyment of using the adjacent properties parking. MR. SOUTH commented that he could not speak for MR. WISCHINSKY but it does appear that an owner's driveway, located next to MR. WISCHINSKY'S property may be affected.

VICE CHAIRMAN NIGRO confirmed with MR. LAPOUR that SCOTT GREGSON is an investor in this project, so he will abstain from voting on this item, as MR. GREGSON is a partner of his in another project.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:26 – 10:32)

3-2095

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 07/07/04, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 56 – SDR-4292

CONDITIONS – Continued:

3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. A maximum of 12.5% of the buffer area may be landscaped with turf. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Trash enclosures shall be walled and roofed in accordance with Title 19.08.045.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building.

Public Works

9. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary. If a map is required, it should record prior to the issuance of any permits for this site.
10. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
11. Site development to comply with all applicable conditions of approval for SDR-3199 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4294 - APPLICANT: JERIMAN ARCHITECTS - OWNER: P. T. CORPORATION - Request for a Site Development Plan Review and Waivers of Landscaping, Pad Location and Covered Trash Enclosure Requirements FOR A PROPOSED RETAIL BUILDING on 0.64 acres adjacent to the south side of Craig Road, approximately 370 east of Jones Boulevard (APN: 138-01-312-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that the property is currently zoned for RE with a Resolution of Intent to C-1. The proposed retail building is a permitted use in this commercial subdivision. Staff approves of the Waiver of Landscaping because there is current landscaping on site. Seventy-one notices were mailed; no approvals and one protest was received.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 57 – SDR-4294

MINUTES – Continued:

JAMES GRINDSTAFF, 2230 Corporate Circle, appeared on behalf of the applicant, stated that the applicant will ensure there will be sufficient trees in the Revised Site Plan, as previously there was a deficiency. Their concern is the private sewer easement, which imposes into the site. This is the reason why the proposed building was moved 20 feet further to the east. The applicant concurred with staff's recommendations.

JEFF ALBREX, Lionel, Sawyer and Collins, represented Tarr Realty and Development, who has the property in escrow at this time for approximately \$8,000,000. MR. ALBREX stated that he just met with MR. GRINDSTAFF, and they do not have a problem with the landscaping but would like to speak with them as his client is making a substantial investment and feels that the issue can be resolved with MR. GRINDSTAFF. Their main concern is they would like the applicant be required to have a trash enclosure. Tarr Realty and Development owns the entire complex, with the exception of MR. GRINDSTAFF'S property and the property on the corner of Jones and Craig. If there is no trash enclosure at the back of MR. GRINDSTAFF'S property, then there will be trash in the front of the property owned by Tarr Realty and Development. MR. GRINDSTAFF replied that if all of their existing trash enclosures will be covered, then they would agree to do the same. MR. ALBREX concurred. CHAIRMAN TRUESDELL requested that MR. GRINDSTAFF work with MR. ALBREX and staff on the trash enclosure. DAVID CLAPSADDLE, Planning and Development, stated that a letter signed between the two parties would be sufficient.

PAUL WHEELER, 5708 Patricia Avenue, stated he spoke with residents and their concern is what exactly will be built on this property and also concerned about the impact regarding traffic on Craig Road. MR. GRINDSTAFF replied that there would be no modifications to existing curb cuts.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:32 – 10:40)

3-2368

CONDITIONS:

Planning and Development

1. Prior to the issuance of building permits, a revised site plan must be submitted to and approved by the Department of Planning and Development showing the correct design of the handicap parking spaces.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 57 – SDR-4294

CONDITIONS – Continued:

2. The applicant shall meet with Planning and Development staff to develop an address plan prior to permits. A copy of the approved address plan shall be submitted with any future building permits applications that pertain to this site.
3. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
4. Site development to comply with all applicable conditions of approval for Z-0140-89, the Regal Plaza Commercial Subdivision, and all other site-related actions as required by the Planning and Development Department and the Department of Public Works.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All development shall be in conformance with the site plan and building elevations, date stamped July 7, 2004, except as amended by conditions herein.
7. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
9. All City Code requirements and design standards of all City departments must be satisfied.
10. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 57 – SDR-4294

CONDITIONS – Continued:

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
15. Site development to comply with all applicable conditions of approval for Z-140-89, the Regal Plaza Commercial Subdivision, and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

**SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4298 -
APPLICANT: STELLA LAKE PARTNERSHIP, LIMITED LIABILITY COMPANY -
OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review and
Waivers of Landscaping Requirements FOR A PROPOSED OFFICE BUILDING on 5.32 acres
adjacent to the southeast corner of Lake Mead Boulevard and Stella Lake Street (a portion of
APN: 139-21-313-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).**

C.C.: 06/16/2004

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 6/16/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

BILL ARENT, City of Las Vegas, Office of Business Development, stated that this is a City of Las Vegas project in the Las Vegas Enterprise Park. The City Council approved a Conveyance agreement with the developer for the construction of the office building on April 7th.

JAMES WRIGHT, Architect, Page Sutherland Page, stated that he is also representing the developer, Stella Lake Partners. MR. WRIGHT stated that the project will be the new home of the FBI Las Vegas Field Office. There are specified sight setback requirements that organize the site. The facility has been configured on this site in a way that the perimeter is secured. There will be a small amount of visitor's parking at the corner of Stella Lake and Lake Mead Boulevard. Otherwise, all of the parking within the site and pedestrian access to the site is controlled. The applicant agreed with staff's recommendations and request for approval.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 58 – SDR-4298

MINUTES - Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:40 – 10:43)

3-2769

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the revised site plan, dated stamped May 18, 2004, and the building elevations, date stamped May 27, 2004, except as amended by conditions herein.
3. Parking spaces outside of the security gates shall be signed for 'visitor parking only.'
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center in the perimeter buffer areas. In addition, the number of trees required in the parking lot landscape islands shall be one tree for every six uncovered parking spaces. A maximum of 12.5% of the buffer area may be landscaped with turf.
5. A permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. All mechanical equipment, air conditioners, and trash areas shall be fully screened from view from the adjacent streets. The trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 58 – SDR-4298

CONDITIONS -- Continued:

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Construct all incomplete half-street improvements on Stella Lake Street and Mount Mariah Drive adjacent to this site concurrent with development of this site. Also, if necessary and as required, remove all substandard public street improvements adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
13. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 58 – SDR-4298

CONDITIONS -- Continued:

16. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-136-94, the Las Vegas Enterprise Park (commercial subdivision) and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2826 - APPLICANT/OWNER: CARRIAGE FUNERAL HOLDINGS, INC. - Request for an Appeal of an approval of a Site Development Plan Review FOR A 1,335 SQUARE-FOOT ADDITION TO AN EXISTING MAUSOLEUM on a portion of 19.10 acres adjacent to the southwest corner of Lone Mountain Road and Tenaya Way (APN: 138-03-101-003), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Ward 4 (Brown).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED subject to conditions, deleting Condition 3, amending the following condition:

4. **Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possible fire hydrants and sewers) on Lone Mountain Road and Monte Cristo Way adjacent to this site prior to the issuance of any permits.**

and adding the following conditions:

- **Meet with the Flood Control section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage passageways required for this site prior to the issuance of any permits for this site.**

- **The applicant shall install wrought iron fencing.**

– UNANIMOUS

This is Final Action

PLANNING COMMISSION MEETING OF MAY 27, 2004
Planning and Development Department
Item 59 – SDR-2826

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that the applicant is requesting an appeal of a condition under Public Works.

DAVID GUERRA, Public Works, stated that the existing memo was being revised and did not need to start over with a clean slate. In order to update the conditions of approval within the current report, staff is requesting to delete Condition 3, revise Condition 4 by deleting the first sentence, and add a condition from the letter dated March 31, 2004.

JIM BERNARD, Carriage Funeral Holdings, agreed to staff's revised conditions.

COMMISSIONER STEINMAN asked if the wall that is in the right-of-way will be wrought iron, create a wall in the maintenance area, and have a dust abatement in the burm as opposed to full landscaping. MR. GUERRA answered COMMISSIONER STEINMAN'S questions by stating that the wall would be removed from the right-of-way. Upon removal, the condition was transferred to the Planning and Development section of conditions. Once the wall was removed, there were looking at the features of the wall upon relocation. He suggested referring back to Planning and Development regarding the features of this wall. Regarding the dust abatement, staff is looking at a minimum stabilization, which can be any type of coating that would keep dust from flying around. COMMISSIONER STEINMAN reiterated that it is a condition to remove the wall out of the right-of-way and inquired what will replace it. MR. BERNARD replied that it makes sense to put wrought iron there and will do whatever the Commission requested. He noted that he spoke with COMMISSIONER BROWN who suggested wrought iron all the way down. MR. BERNARD suggested having wrought iron up to the maintenance area or some type of block wall that would match the other block wall on the other side of the street. MR. BERNARD confirmed that it will be wrought iron. He also indicated they desire to delay the half street improvements until the Lone Mountain expansion is done so it can be done together and apply for financing, such as SID. MR. CLAPSADDLE stated that staff can look into the wrought iron and sometime later work on a decorative block wall to screen the maintenance area.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:43 – 10:54)

3-2920

PLANNING COMMISSION MEETING OF MAY 27, 2004
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CONDITIONS:

Planning and Development

1. This Site Development Review shall expire two years from the date of final approval unless it is exercised or an extension of time is granted by the City Council.
2. Relocate the existing block wall currently located within the Monte Cristo Way right-of-way concurrent with development of this site.

Public Works

3. Original Condition of Approval No. 2 of SDR-2826 is hereby deleted.
4. Original Condition of Approval No. 3 of SDR-2826 is hereby revised to read: Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Lone Mountain Road and Monte Cristo Way adjacent to this site prior to the issuance of any permits.
5. Meet with the Flood Control section of the Department of Public Works for assistance in determining appropriate finished floor elevations and drainage passageways required for this site prior to the issuance of any permits for this site.
6. Landscape or otherwise stabilize and maintain all unimproved right-of-way on Monte Cristo Way adjacent to this site.
7. Submit an Encroachment Agreement for all landscaping and private improvements located in the Monte Cristo Way public right-of-way adjacent to this site prior to the issuance of any permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 27, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TEXT AMENDMENT - TXT-4429 - PUBLIC HEARING - CITY OF LAS VEGAS -
Discussion and possible to amend Title 19.04.040 to allow the keeping of one horse on residential lots with a minimum net area of 18,000 square feet.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the June 10, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map - Not Applicable
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be held in abeyance until June 10, 2004 Planning Commission meeting

MINUTES:

There was no discussion.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MAY 27, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

MARGO WHEELER, Planning and Development, announced the next Planning Commission Workshop, which will be held on Thursday, July 15th at approximately noon. The topic of discussion will be billboards, including design, location and text amendments. In addition, accessory buildings will be discussed. Staff continues to have accessory building issues and how they get differentiated from casitas and what can be done.

DAVID CLAPSADDLE, Planning and Development, thanked FLYNN FAGG for the work he did on the small lot ordinance presentation.

The meeting adjourned at 10:56 p.m.

MEETING ADJOURNED AT 9:52P.M.

Respectfully submitted:

ARLENE COLEMAN, DEPUTY CITY CLERK

STACEY CAMPBELL, DEPUTY CITY CLERK